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COLONIES AND SLAVES.

ONE VOLUME.

RELATING TO

COLONIES;
AFRICANS CAPTURED; JAMAICA;
SLAVE EMANCIPATION;
SLAVE TRADE.

Session

14 June—20 October 1831.

VOL. XIX.

1831.

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COLONIES AND SLAVES.

ONE VOLUME. — CONTENTS.

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CANADA CROWN REVENUES.

RETURN to an Address of the Honourable The House of Commons,
dated 11th July 1831;—for

COPIES of all COMMUNICATIONS which have passed relative
to the APPROPRIATION of the CROWN REVENUES, and other
Financial Arrangements relative thereto, between the Governors of
Upper or of *Lower Canada*, and the Legislatures of the two Provinces.

Colonial Department,
Downing-street,
13 July 1831. }

R. W. HAY.

Ordered, by The House of Commons, to be Printed, 15 July 1831.

LOWER CANADA.

AYLMER, Governor-in-Chief.

THE Governor in Chief has received from the Secretary of State for the Colonial Department His Majesty's commands to make the following communication to the ^{Legislative Council,} House of Assembly, with a view to the final adjustment of the question of Finance which has so long engaged the attention of the Legislature of this Province.

His Majesty, taking into consideration the best mode of contributing to the prosperity and contentment of His faithful subjects of the Province of Lower Canada, places at the disposal of the Legislature all His Majesty's interest in those Taxes which are now levied in the Province by virtue of different Acts of the British Parliament, and which are appropriated by the Treasury under His Majesty's commands, together with all fines and forfeitures levied under the authority of such Acts. His Majesty, relying on the liberality and justice of the Legislature of Lower Canada, invites them to consider the propriety of making some settled provision for such portion of the expenses of the Civil Government of the Province as may, upon examination, appear to require an arrangement of a more permanent nature than those supplies which it belongs to the Legislature to determine by annual votes. His Majesty has directed to be prepared and laid before the ^{Council} House an Estimate of the sums required for that purpose; and in directing the preparation of that Estimate His Majesty has been guided by a wish, never absent from his heart, to call upon his faithful subjects for no other supply than such as may appear to be required for the due execution of those services which it is proposed to charge upon the Civil List.

His Majesty concedes the disposal of these Revenues with cordial good will, and cannot doubt that it will be met with a reciprocal feeling by the ^{Legislative} representatives of an attached Council. and loyal people. The Revenues to be given up, taken upon the average of the two last years, amount to 38,125 *l.* currency; and the amount of the Civil List, according to the estimate herewith transmitted, amounts to 19,500 *l.*

It is not, however, necessary to call upon the Legislature to grant the whole sum of 19,500 *l.*, inasmuch as by the Provincial Act of the 35 Geo. III. the sum of 5,000 *l.* is permanently granted towards the maintenance of the Civil Government; the moderate sum of 14,500 *l.* is therefore all that is deemed necessary to ask for the completion of the proposed arrangement.

It is proposed that the duration of the Civil List should be for the life of His Majesty. It is hoped that the arrangements thus detailed will be received in the spirit in which they are dictated—a spirit of conciliation and confidence.

His Majesty is prepared to surrender a large and increasing revenue; he asks in return for a fixed and moderate Civil List, much less in amount than the revenue given up; and the settlement of this long-agitated question will be deemed by His Majesty one of the happiest events of His reign, the glory of which (the people of Canada may be assured) will be the promotion of the happiness and content of all classes of His subjects in every quarter of the globe.

The Governor-in-Chief having thus obeyed the commands he has received in making the foregoing communication to the ^{Legislative Council,} ~~House of Assembly,~~ desires to add, that if in the course of their proceedings in this important question, they should deem it expedient to require explanations from him on the subject of it, he will at all times be ready to afford such explanations; and he will moreover most willingly supply any further information they may desire to have, to the utmost extent compatible with his duty to his Sovereign.

Castle of St. Lewis, Quebec,
23d Feb. 1831.

LOWER CANADA :—PROPOSED CIVIL LIST.

		£.	£.
Class No. 1.	Governor's Salary - - - - -	4,500	5,300
	Civil Secretary - - - - -	500	
	Contingencies - - - - -	300	
Class No. 2.	Chief Justice - - - - -	1,500	11,450
	- - Ditto - Montreal - - - - -	1,200	
	Six Puisne Judges, at 900 <i>l.</i> each - - - - -	5,400	
	Resident Judge at Three Rivers - - - - -	900	
	Two Provincial Judges - - - - -	1,000	
	Judge of Vice Admiralty - - - - -	200	
	Attorney General - - - - -	300	
	Solicitor General - - - - -	200	
	Allowance for Judges for Circuits - - - - -	275	
Class No. 3.	Contingencies - - - - -	475	2,750
Class No. 3.	Pensions - - - - -	1,000	2,750
	Miscellaneous - - - - -	1,750	
Total Three Classes, sterling - - -		£.	19,500

STATEMENT of the Average Net Produce of the REVENUES under the following Heads, founded on the Receipts of the last Two Years, after deducting the Proportion for *Upper Canada*.

	£.
Customs, under Imperial Act 14 Geo. 3, c. 88 - - - - -	31,742
Licences under Ditto - - - - -	2,200
Ditto under Provincial Act 41 Geo. 3 - - - - -	62
Customs, under Ditto - - - - -	3,735
Fines and Forfeitures - - - - -	386
Total Currency - - -	£. 38,125

(Signed)

Joseph Cary,

Inspect' Gen^l of Public Provincial Accounts.

Quebec, 23d Feb. 1831.

AYLMER, Governor-in-Chief.

THE Governor-in-Chief having, in his Message of the 23d instant, communicated to the House of Assembly the commands of His Majesty, received through the Secretary of State for the Colonial Department, regarding the question of Finance which has for so long a period engaged their attention, thinks it necessary to enumerate in detail the several branches of revenue which it is deemed expedient to exempt from the operation of the proposed arrangement.

This further communication appears to his Excellency to be the more desirable as it will remove all grounds for future discussion when the adjustment of the main question shall have taken place, and as it will enable the House of Assembly to enter upon the consideration of this important topic with a full and precise understanding of the views of His Majesty's Government; these views are now exhibited by the Governor-in-Chief to the House of Assembly in that spirit of frankness and good faith which characterizes the instructions he has received, and which cannot fail to improve the confidence of the House of Assembly in the good intentions of His Majesty's Government.

The Revenues to which the Governor-in-Chief alludes are the Casual and Territorial Revenues of the Crown, and are classed under the following heads; viz.—

1. Rents Jesuits' Estates.
2. Rent of the King's Posts.
3. Forges of St. Maurice.
4. Rent of King's Wharf.
5. Droit de Quint.
6. Lods et Ventes.
7. Land Fund.
8. Timber Fund.

If the funds derived from these sources operated in any degree as a tax upon the people, or tended, either in their nature or in the mode of their collection, to impede or impair the prosperity of the Province, His Majesty's Government would have hesitated in proposing to retain them at the disposal of the Crown. They stand, however, upon a perfectly different ground from taxes, properly so called. They are enjoyed by the Crown, by virtue of the Royal prerogative, and are neither more nor less than the proceeds of landed property, which legally and constitutionally belongs to the Sovereign on the Throne; and as long as they are applied, not to undue purposes of mere patronage, but to objects which are closely connected with the public interests of the Province, it is not easy to conceive upon what grounds of abstract propriety, or of constitutional jealousy, the application of them according to His Majesty's commands, under responsible advice, can be impugned.

Castle of St. Lewis, Quebec, }
25 Feb. 1831.

A.

House of Assembly, Friday, 25th Feb. 1831.

Resolved,—THAT an humble Address be presented to His Excellency the Governor-in-Chief, praying his Excellency will be pleased to direct the proper officers to lay before this House a statement of the gross annual amount of the casual and territorial Revenue, from the year 1818 inclusive, distinguishing the amount annually received under the following heads; viz.—

- Rent of the Jesuits' Estates.
- Rent of the King's Posts.
- Forges of St. Maurice.
- Rent of the King's Wharf.
- Droit de Quint.
- Lods et Ventes.
- Land Fund.
- Timber Fund.

(Answer.)

Gentlemen,

I HAVE much satisfaction in receiving this Address, because it enables me to gratify the desire with which I shall at all times be actuated, to comply with any request of the House of Assembly; and because I am fully sensible that at the present moment it is more than usually desirable that the Financial concerns of the Province should undergo a thorough examination. The proper officers shall therefore be instructed to prepare, and to lay before the House of Assembly, a statement of the gross annual amount of the casual and territorial Revenue, from the year 1818 inclusive, distinguishing the amount annually received under the following heads; viz.—

Rent of Jesuit Estates.
 Rent of the King's Posts.
 Forges of St. Maurice.
 Rent of King's Wharf.
 Droit de Quint.
 Lods et Ventes.
 Land Fund.
 Timber Fund.

Castle of St. Lewis, Quebec, }
 26th February 1831. }

AYLMER,
 Governor-in-Chief.

House of Assembly, Friday, 25th Feb. 1831.

Resolved,—THAT an humble Address be presented to his Excellency the Governor-in-Chief, praying his Excellency will be pleased to cause to be laid before this House copies of any despatch or despatches, or of such instruction or instructions as his Excellency may have received from His Majesty's Government in England, concerning the Financial affairs of this Province, to which his Excellency refers in his Messages to this House on that subject, of the 23d instant, and this day.

(Answer.)

Gentlemen,

I CANNOT hesitate a moment regarding the answer which it becomes me to make to this Address.

The despatches and instructions which I have received, and which are alluded to in my Messages of the 23d and 25th inst. to the House of Assembly, are intended for my own information and guidance as Governor of this Colony; and are addressed to me in the confident expectation on the part of His Majesty's Government, that the commands of the King, which those despatches and instructions convey, will be executed by me with that fidelity which should belong to the character of a public officer, intrusted with the performance of high and important duties, and honoured with the confidence of his Sovereign.

I have therefore to desire, Gentlemen, that you will be so good as to convey to the House of Assembly the expression of my very sincere regret at not having it in my power, consistently with the sense of duty and propriety entertained by me on this occasion, to cause to be laid before them, "copies of any despatch or despatches, or of such instruction or instructions, as I may have received from His Majesty's Government in England, concerning the Financial affairs of this Province, which are referred to in my Messages to the House of Assembly on that subject, of the 23d and 25th instant."

Castle of St. Lewis, Quebec, }
 26th February 1831. }

AYLMER,
 Governor-in-Chief.

House of Assembly, Monday, 28th Feb. 1831.

Resolved,—THAT an humble Address be presented to his Excellency the Governor-in-Chief, praying his Excellency will be pleased to cause to be laid before this House, a detailed statement of the intended application of the items contained in the Estimate of the proposed Civil List for Lower Canada, transmitted with his

Excellency's

Excellency's Message of the 23d instant, under the heads of Contingencies, in Classes Nos. 1 & 2, and under the heads of Pensions, and Miscellaneous, in Class No. 3.

(Answer.)

Gentlemen,

I HAVE not in my power to furnish a detailed statement of the application of the items contained in the Estimate of the proposed Civil List for Lower Canada, (transmitted with my Message of the 23d ult.) under the heads of Contingencies, in Classes Nos. 1 & 2, not being in possession of the necessary information to enable me to do so.

The same observation will apply to the item of Miscellaneous, in Class No. 3.

Regarding the item of Pensions, in Class No. 3, I have to inform the House that a communication must be made to His Majesty's Government before a final appropriation of that head of charge can take place.

Castle of St. Lewis, Quebec, }
1st March 1831.

AYLMER,
Governor-in-Chief.

House of Assembly, Monday, 28th Feb. 1831.

Resolved,—THAT an humble Address be presented to his Excellency the Governor-in-Chief, praying that his Excellency will be pleased to direct the proper officers to lay before this House a statement of the gross annual amount of the Rents of the Jesuit's Estates, classed under the several heads of receipt; a detail of the salaries annually paid, and the gross annual amount of other expenses of management and collection, together with a statement of the annual amount of all other payments made out of the same fund.

(Answer.)

Gentlemen,

UPON reference to the proper officer, I have ascertained that the information sought for in this Address has hitherto been withheld, in conformity, as I must presume, with instructions from His Majesty's Government.

With this impression of my mind, and in the absence of any precise instructions on this subject, addressed to myself, I cannot feel justified in furnishing the desired information.

Castle of St. Lewis, Quebec, }
1st March 1831.

AYLMER,
Governor-in-Chief.

House of Assembly, Monday, 28th Feb. 1831.

Resolved,—THAT an humble Address be presented to his Excellency the Governor-in-Chief, praying his Excellency to direct the proper officer to lay before this House statements of the gross annual income of the Land-fund, and of the Timber-fund, classed under the several heads of receipt, a detail of the salaries annually paid, and the gross annual amount of all other expenses of management and collection, together with a statement of the annual amount of all other payments made out of the same funds, from the year 1818 inclusive.

(Answer.)

Gentlemen,

To this Message I can only return a similar answer to that which I have just made to the preceding one, and to that answer I must accordingly refer.

Castle of St. Lewis, Quebec, }
1st March 1831.

AYLMER,
Governor-in-Chief.

House of Assembly, Monday, 28th Feb. 1831.

Resolved,—THAT an humble Address be presented to his Excellency the Governor-in-Chief, praying that his Excellency will be pleased to cause to be laid before this House a detailed statement of the intended future application of the income arising from the Rents of the Jesuits' Estates, the Land-fund, the Timber-fund, and the other heads of revenue classed in his Excellency's Message of the 25th instant, as belonging to the casual and territorial revenue.

(Answer.)

Gentlemen,

I CANNOT take upon myself to say what may be the future intentions of His Majesty's Government with regard to the appropriation of those branches of the Revenue which are considered as the property of the Crown, and consequently liable to such changes in the distribution of them as His Majesty may be pleased to direct.

I can only state generally that it is the intention of His Majesty's Government to apply them to objects which are closely connected with the public interests of the Province, and I have reason to believe that the following items will be made chargeable upon those revenues.

- 1st. The advancement of education.
- 2d. The payment of the clergy of the Established Church.
- 3d. The payment of 1,000 £. per annum, to the Roman-catholic bishop of Quebec.
- 4th. An allowance annually of 600 £. to Presbyterian Ministers.

Castle of St. Lewis, Quebec, }
1st March 1831.

AYLMER,
Governor-in-Chief.

House of Assembly, Monday, 28th Feb. 1831.

Resolved,—THAT an humble Address be presented to his Excellency the Governor-in-Chief, praying that his Excellency will be pleased to acquaint this House whether the Judge of the Court of Vice-Admiralty at Quebec has made choice of his salary, at the rate of 200 £. sterling per annum, as voted by this House, or of the fees which, under the present tariff, he is in the habit of receiving.

(Answer.)

Gentlemen,

I REALLY cannot inform the House of Assembly, whether the Judge of the Court of Vice-Admiralty has, or has not made choice of his salary, at the rate of 200 £. sterling per annum, as voted by the House, or of his fees. I only know, that the Judge of the Court of Vice-Admiralty having some time since made application to me for a warrant for the amount of his salary for the year 1830, I caused inquiry to be made whether he had received fees during that period, and upon learning that he either had done so, or at least still asserted his claim to those fees, I withheld my warrant for the amount of the salary, which will be found carried to the credit of the public, in the accounts of the expenditure of the past year now before the House of Assembly.

Castle of St. Lewis, Quebec, }
1st March 1831.

AYLMER,
Governor-in-Chief.

House of Assembly, Tuesday, 1st March 1831.

Resolved,—THAT an humble Address be presented to his Excellency the Governor-in-Chief, praying his Excellency will be pleased to lay before this House any information which may be in his possession, and which he may think proper to communicate, respecting any Bill introduced during the last or present Session of the Parliament of the United Kingdom, by any officer of His Majesty's Government, concerning the Financial affairs of this Province, or any information relating to any such

such Bill proposed to be introduced, together with copies of all such Bills, and every other information relating thereto.

(Answer.)

Gentlemen,

I REQUEST you will inform the House of Assembly that I am not in possession of any official information respecting any Bill introduced during the last or present Session of the Parliament of the United Kingdom, by any officer of His Majesty's Government, concerning the Financial affairs of this Province: but a despatch, addressed to me by the Secretary of State for the Colonial Department, dated the 24th of December last, announces the intention of His Majesty's Government to submit to the Imperial Parliament, in the course of the present Session, a bill for the purpose of relieving the Lords of the Treasury from their present obligation of appropriating the duties referred to in my Message of the 23d ultimo, and for authorizing His Majesty to leave their appropriation to the Colonial Legislature. The date at which it is proposed that this Bill should come into operation is on the 1st of July 1832. In order, however, to enable the Government at home to give the earliest possible effect to the measures which may be taken by the Colonial Legislature for the satisfactory settlement of the question involved in the subject of my Message of the 23d ultimo, it is proposed to give His Majesty in Council a power to bring the British law into operation at an earlier period than the 1st of July 1832. If, therefore, the Colonial Act should provide for the commencement of the proposed Civil List in January 1832, or at any earlier period, then his Majesty's Government would lose no time in advising the issue of an Order in Council to accelerate the commencement of the British Act, so that the whole plan would come simultaneously into effect.

Castle of St. Lewis, Quebec, }
2d March 1831.

AYLMER,
Governor-in-Chief.

UPPER CANADA.

Upper Canada, York, 21st March 1831.

Lieutenant-governor Sir *John Colborne*;—Transmitting Copies of two Messages to the House of Assembly, and of a Bill passed by the Provincial Legislature, making a permanent Grant of £. 6,500 sterling, for the Salaries of the Lieutenant-governor, the Judges, and certain Public Officers; and repealing the permanent Grant of £. 2,500, made by the Provincial Act of 56 Geo. III. c. 26, on the condition of getting the Control of the Duties levied under the British Act, 14 Geo. III. c. 88.

THE Lieutenant-governor has the satisfaction to inform the House of Assembly that the King places at the disposal of the Provincial Legislature all His Majesty's interest in the duties which are collected under the British Statute, 14 Geo. III. c. 88, and which have hitherto been applied to the support of the Civil Government by warrants of the Lords Commissioners of the Treasury.

His Majesty, in conceding the complete disposal of this increasing revenue, has naturally the confident expectation that so great a proof of His anxious desire to consult the wishes of His faithful and loyal subjects in Upper Canada will be met with a reciprocal feeling by their representatives.

The Lieutenant-governor is therefore instructed to acquaint the House that His Majesty's Government trusts that the Legislature will think it indispensable that provision should be immediately made for the salaries of the Lieutenant-governor, the Judges and principal officers of the government; and for such expenses of the Civil Government and administration of justice as may appear, upon examination of the Estimates in possession of the House, to require a more permanent arrangement than the supplies which are granted by annual vote.

The sum of 8,000 £. is deemed sufficient by His Majesty's Government for this important object, exclusive of the sum granted permanently by a Provincial Act towards the maintenance of the Civil Government.

8 CANADA:—COMMUNICATIONS RELATIVE TO THE

The revenue to be ceded cannot be calculated at less than 11,500 *l.* sterling ; and it will be highly gratifying to the Lieutenant-governor to concur in any measure that may accelerate the final arrangements proposed by His Majesty's Government to give effect to His Majesty's gracious intentions, and to the decision of the British Parliament, when the Lords of the Treasury may be released from the obligation of appropriating in future the duties referred to in this communication.

Government House, }
28th Feb. 1831. } (signed) *J. Colborne.*

THE Lieutenant-governor, in reference to his communication of yesterday, transmits for the information of the House of Assembly, estimates of the expense of the Civil Government.

Government House, }
1st March 1831. } (signed) *J. Colborne.*

ESTIMATE of EXPENSE requiring a more permanent Arrangement than an Annual Vote.

	£.	s.	d.
Salary of the Lieutenant-governor - - - - -	3,000	-	-
— Judges - - - - -	3,300	-	-
— Attorney general - - - - -	300	-	-
— Solicitor-general - - - - -	100	-	-
— Secretary of the Province - - - - -	300	-	-
— Retired Judges - - - - -	2,700	-	-
Contingent and Miscellaneous - - - - -	800	-	-
Sterling - - - - £.	10,500	-	-
Speaker of the Legislative Council - - - - -	360	-	-
Five Executive Councillors - - - - -	500	-	-
Receiver-general - - - - -	200	-	-
Surveyor-general - - - - -	300	-	-
Clerk of the Executive Council - - - - -	200	-	-
Clerk of the Crown and Pleas - - - - -	100	-	-
	£.	1,660	- -
PUBLIC OFFICES :			
Government Office :			
Secretary's salary - - - - -	£. 182	10	
Three clerks - - - - -	550	-	
		732	10 -
Executive Council Office :			
Two clerks - - - - -		332	10 -
Secretary's and Register's Office :			
One clerk or deputy - - - - -		150	- -
Receiver-general's Office :			
Two clerks - - - - -		332	10 -
Surveyor-general's Office :			
Draughtsman and four clerks - - - - -		726	5 7½
Inspector-general's Office :			
Two clerks - - - - -		332	10 -
Contingent expenses of the Public Offices - - - - -	1,500	-	-
Contingent expenses of the administration of justice - - - - -	1,800	-	-
Sterling - - - - £.	7,560	5	7½

Chapter 14.

AN ACT to repeal an Act passed in the Fifth Session of the Sixth Parliament of this Province, intituled, "An Act for granting to His Majesty a sum of Money towards defraying the Expenses of the Civil Administration of the Government of this Province," and for granting to His Majesty a certain sum of Money to be applied towards the payment of the Expenses of the Administration of Justice, and the support of the Civil Government of this Province.

Most Gracious Sovereign,

WHEREAS by a Message transmitted to the House of Assembly and Legislative Council, by his Excellency Sir John Colborne, knight, commander of the Most honourable military Order of the Bath, Lieutenant-governor, the intention of Your Majesty is communicated to the Provincial Parliament, of placing at the disposal of the Legislature the revenues raised, levied and collected under the Imperial Act of the fourteenth year of the Reign of King George the Third, intituled, "An Act to establish a Fund towards further defraying the Charges of the Administration of Justice and support of the Civil Government within the Province of Quebec, in America," accruing to this Province, and expressing Your Majesty's earnest desire that the Legislature would make provision for defraying such of the expenses of the Civil Service of the Colonial Government as ought not to be dependant upon annual votes; And whereas the revenue about to be placed under the control of the Legislature has greatly increased during the last seven years, and is constantly increasing, and amounts, at this time, to upwards of seventeen thousand five hundred pounds; And whereas the sum of six thousand five hundred pounds sterling is required for the services hereinafter mentioned, which it is expedient should be permanently provided for; And whereas by an Act in the Fifth Session of the Sixth Parliament of this Province, intituled, "An Act for granting to His Majesty a sum of Money towards defraying the Expenses of the Civil Administration of the Government of this Province;" the sum of two thousand five hundred pounds was granted to His late Majesty King George the Third, annually, in aid of the support of the Civil Government of this Province, which it is expedient to repeal: Be it therefore Enacted, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the Fourteenth Year of His Majesty's Reign, intituled, 'An Act for making more effectual Provision for the Government of the Province of Quebec, in North America, and to make further Provision for the Government of the said Province, and by the authority of the same;'" that the said Act passed in the Fifth Session of the Sixth Parliament of this Province, intituled, "An Act for granting to His Majesty a sum of Money towards defraying the Expenses of the Civil Administration of the Government of this Province," shall be and the same is hereby repealed.

And be it further Enacted, by the authority aforesaid that there be annually granted to His Majesty, his heirs and successors, from and out of the rates and duties raised, levied and collected, or hereafter to be raised, levied and collected to and for the public uses of this Province, and in the hands of the Receiver-general, and unappropriated, the sum of six thousand five hundred pounds sterling, which sum shall be applied for defraying the charges hereinafter mentioned, that is to say, the salary of the Lieutenant-governor, or person administering the government of this Province, two thousand pounds sterling; the salaries of the Judges of His Majesty's Court of King's Bench, three thousand three hundred pounds sterling; the salaries of the Attorney and Solicitor-general five hundred pounds sterling; the salaries of five Executive Councillors, five hundred pounds sterling; the salary of the Clerk of the Executive Council, two hundred pounds sterling; and shall be paid by the Receiver-general of this Province, in discharge of any warrant or warrants which shall for that purpose be issued by the Governor, Lieutenant-governor, or person administering the government of this Province, and shall be accounted for to His Majesty by His Majesty's Receiver-general of this Province, through the Lords Commissioners of His Majesty's Treasury, in such manner and form as His Majesty, his heirs and successors, shall be graciously pleased to direct.

And be it further Enacted, by the authority aforesaid, that this Act shall come into operation and take effect from and immediately after the Revenues arising under the said Act passed in the fourteenth year of the Reign of his late Majesty George the Third, shall, by Act of the Imperial Parliament, or otherwise, be placed under the control of the Parliament of this Province.

Commons House of Assembly, }
11th March, 1831. }

Arch^d M^cLean.
Speaker.

Legislative Council Chamber, }
14 March 1831. }

Jno. B. Robinson,
Speaker.

I assent to this Bill in His Majesty's name.

J. COLBORNE.

CANADA CROWN REVENUES.

COPIES of all COMMUNICATIONS which have passed relative to the APPROPRIATION of the CROWN REVENUES, and other Financial Arrangements relative thereto, between the Governors of *Upper* or of *Lower Canada*, and the Legislatures of the two Provinces.

*Ordered, by The House of Commons, to be Printed,
15 July 1831.*

EAST INDIA ACCOUNTS.

VIZ.

—1.—

ANNUAL ACCOUNT, made up to the 1st day of May 1831;—Containing, The Amount of the Proceeds of the Sale of Goods and Merchandize of The EAST INDIA COMPANY in *Great Britain*, and of their Commercial and other Receipts, Charges, and Payments, in *Great Britain*, under the several Heads thereof; together with an ESTIMATE of the same for the Current Year;—and, A Statement of their BOND DEBTS and SIMPLE CONTRACT DEBTS, with the Rates of Interest they respectively carry, and the Amount of such Interest; and the State of CASH remaining in their Treasury, and other Effects appertaining to the Company, in *Great Britain*, and Afloat; distinguishing the RECEIPTS and PAYMENTS, DEBTS and ASSETS, in the Political and Territorial Branch, from the RECEIPTS and PAYMENTS, DEBTS and ASSETS, in the Commercial Branch :

—2.—

AN ACCOUNT of NEW or INCREASED SALARIES, ESTABLISHMENTS or PENSIONS, payable in *Great Britain*, granted or created between the 1st May 1830 and 1st May 1831:—and ALLOWANCES, COMPENSATIONS, REMUNERATIONS, and SUPERANNUATIONS, granted to the Officers and Servants of The EAST INDIA COMPANY, under the 93d Section of the Act 53 Geo. 3. c. 155. for the same Period.

East India House, }
22 June 1831. }

THO' G. LLOYD,
Accountant General.

Ordered, by The House of Commons, to be Printed,
24 June 1831.

of the Sale of Goods and Merchandize of the EAST INDIA COMPANY in *Great Britain*, and of their Commercial ESTIMATE of the same for the Current Year;—and, a Statement of their BOND DEBTS and SIMPLE CONTRACT CASH remaining in their Treasury, and other Effects appertaining to the Company, in *Great Britain*, and BRANCH, from the RECEIPTS and PAYMENTS, DEBTS and ASSETS in the COMMERCIAL BRANCH.

and of their Commercial and other Receipts, Charges and Payments, in *Great Britain*, under the several Heads thereof; Payments in the *Political* and *Territorial* Branch, from those in the *Commercial* Branch.

- - - - - TERRITORIAL BRANCH.

PAYMENTS:

	£.	s.	d.
BILLS of Exchange from India for Principal and Interest of India Debt; viz.			
for Principal - - - - -	£.94,702	3	-
- Interest - - - - -	852,735	4	5
	947,437	7	5
For Effects of deceased Officers, and other Remittances - - - - -	22,874	4	9
Passage of Troops and Freight of Stores, chargeable to His Majesty's Government - - -	970,311	12	2
	3,250	16	3
Territorial and Political Charges and Advances in England:			
On account of Military, Marine and other Public Stores, exported and to be exported - - -	104,353	10	-
Military Officers, Pay and Off-reckonings on Furlough and Retirement - - - - -	491,550	10	6
Civil Establishments of India; Absentee Allowances and Payments on account of the } India Annuity Funds - - - - - }	66,847	14	4
Passage of Military, and Supplies to them on the Voyage - - - - -	28,348	5	6
Political Freight and Demorage - - - - -	74,155	4	1
Carnatic Debts: Interest on Claims adjudicated - - - - -	£.95,301	18	7
Expenses in England chargeable to the Carnatic Fund - - - - -	3,685	3	3
	98,987	1	10
Tanjore Debts: Current Charges and Salaries of Commissioners and Officers - - - - -	6,941	10	3
Charges on account of St. Helena - - - Bills, &c. paid - - - - -	£.41,885	9	6
Exports provided - - - - -	31,227	12	9
	73,113	2	3
Ditto - - Prince of Wales' Island, } Singapore, and Malacca - - - }	£.7,833	-	3
Exports provided - - - - -	2,140	7	5
	9,973	7	8
Political Charges General, and Advances repayable - - - - -	488,785	9	9
Payments under Act 4 Geo. 4. c. 71. on account of Retiring Pay, Pensions, &c. of King's Troops } serving or having served in the East Indies }	60,000	-	-
Paymaster General of His Majesty's Forces, for Claims accrued against the Company, in respect } of King's Troops serving in India }	295,648	18	4
Unclaimed Prize Money applicable to Lord Clive's Fund, under the Acts 1 & 2 Geo. 4. c. 61. } and 9 Geo. 4. c. 50; Claims allowed thereout }	237	13	-
Bhurrpore Booty: Shares paid - - - - -	24,537	1	7
	£.	2,797,041	17 6

- - - - - BRANCH.

CUSTOMS - - - - -	604	18	-
Freight and Demorage - - - - -	760,550	15	6
Goods for Sale and Use exported and to be exported - - - - -	493,140	7	11
Commanders' Certificates and Bills of Exchange from China and the Cape - - - - -	89,493	4	11
Charges General - - - - -	372,610	4	3
Bonds paid off under the Advertisement for Reduction of the Interest on the Bond Debt to } 2½ per cent, and Bonds bought up - - - - - }	45,412	10	-
Interest on the Bond Debt - - - - -	93,363	3	10
Dividends on Stock - - - - -	632,223	-	4
Private Trade - - - - -	1,696,430	16	8
Almshouses at Poplar - - - - -	20,333	4	9
Fee Funds for the House and Warehouses - - - - -	75,614	14	6
Widows' Funds for Officers of the House and Warehouses, and for Elders, Extra Clerks, &c. } employed in the House and Warehouses }	20,924	12	5
	£.	4,300,701	13 1
Territorial Payments - - - - -	£.2,797,041	17	6
Commercial - ditto - - - - -	4,300,701	13	1
	7,097,743	10	7
BALANCE in favour 1st May 1831 (exclusive of Duty on Tea) - - - - -	1,051,303	7	8
	£.	8,149,046	18 3

POLITICAL AND - - - -

	£.
BILLS of Exchange for Supplies to His Majesty's Government - - - -	34,646
Remittances from India on the Territorial and Political Account, which may be realized in the Home Treasury in the year 1831/32 - - - - }	411,040

£.	445,686
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COMMERCIAL - - - - -

TO be received for Company's Goods	-	-	-	-	-	-	-	4,394,806
Private Trade Goods, sold before 1st May 1831	-	-	-	-	-	-	-	233,347
Interest on the Annuities	-	-	-	-	-	-	-	36,226
Charges on Private Trade	-	-	-	-	-	-	-	80,000
Dividends on Stock standing in the Company's name	-	-	-	-	-	-	-	26,544
Remittances from North American Colonies, on account of Proceeds of Tea	-	-	-	-	-	-	-	120,000
Board of Ordnance, on account of Saltpetre	-	-	-	-	-	-	-	34,360
Bills in favour from the Cape of Good Hope	-	-	-	-	-	-	-	125

£. 4,925,408

BALANCE in favour 1st May 1831 (exclusive of Duty on Tea)	-	-	-	1,051,303
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Territorial Receipts	-	-	-	-	-	-	£.445,686	
Commercial - ditto	-	-	-	-	-	-	4,925,408	
							5,371,094	

£. 6,422,397

FROM FIRST MAY 1831 TO FIRST MAY 1832.

TERRITORIAL BRANCH.

PAYMENTS:		£.
BILLS of Exchange from India	- - - - -	1,093,989
Military, Garrison, Marine and other Public Stores	- - - - -	146,525
Passage of Military	- - - - -	32,000
Political Freight and Demorage	- - - - -	100,000
Officers of Furlough and Retirement (Pay and Off-reckonings)	- - - - -	468,000
Carnatic Debts: Interest and Charges payable from the Carnatic Fund	- - - - -	94,000
Tanjore Debts: Charges of the Commission	- - - - -	8,800
Political Charges, General, and Advances repayable	- - - - -	500,000
Island of St. Helena	Bills, &c. - - - - - £. 40,000	
	Exports - - - - - 20,990	
		60,990
Pay Office Demands	- - - - -	220,000
Payments under the Act 4 Geo. 4. c. 71, on account of Retiring Pay, Pensions, &c. of King's Troops serving or having served in the East Indies	- - - - -	60,000
Civil Establishments of India, and India Annuity Funds	- - - - -	77,200
Warrants passed the Court unpaid	- - - - -	46,066
On account of the Naval Force provided for the East Indies	- - - - -	42,000
	£.	2,949,570
BRANCH.		£.
CUSTOMS	- - - - -	320
Freight	- - - - -	559,650
Exports	- - - - -	575,061
Bills of Exchange	- - - - -	158,432
Charges General	- - - - -	400,000
Interest on Bonds	- - - - -	132,168
Dividends on Stock	- - - - -	675,484
Proprietors of Private Trade, for Goods sold before 1st May 1831	- - - - -	319,764
Bonds advertised to be paid off	- - - - -	15,417
Buyers of Tea returned	- - - - -	971
Warrants passed the Court unpaid	- - - - -	43,612
Trustees of the Deccan Booty: Balance due to them on Remittances of Bullion from the Prize Funds	- - - - -	10,762
	£.	2,891,641
Territorial Payments	- - - - - £. 2,949,570	
Commercial - ditto	- - - - - 2,891,641	
		5,841,211
BALANCE in favour 1st May 1832	- - - - -	581,186
	£.	6,422,397

**A STATEMENT OF THEIR BOND DEBTS AND SIMPLE CONTRACT DEBTS,
State of CASH remaining in their Treasury, and other Effects appertaining to
Distinguishing the DEBTS and ASSETS in the POLITICAL and TERRITORIAL**

POLITICAL AND

DEBTS:		£.
TO Bills of Exchange unpaid, from India and St. Helena, drawn on the Political and Territorial Account	}	573,961
Warrants passed the Court unpaid	}	46,066
Amount owing for Territorial Exports	}	34,008
Unclaimed Prize Money applicable to Lord Clive's Fund (Acts 1 & 2 Geo. 4. c. 61. and 9 Geo. 4. c. 50.) bearing Interest at 5 per cent per annum	}	68,456
His Majesty's Government, due per Estimate on account Pay Office and other demands, after taking credit for Sums due from Government to the Company, on the Territorial Account	}	434,435
The Territorial Branch for Territorial and Political Payments made in England between 1st May 1814 and 1st May 1831 (including Interest)	}	* 9,721,070
	£.	10,877,996

COMMERCIAL

	£.
TO Bills of Exchange unpaid	100,432
Customs	1,832
Freight and Demorage	322,700
Supra Cargoes' Commission upon all Goods sold and unsold	42,750
Proprietors of Private Trade upon all Goods sold	319,764
Almshouses at Poplar (Poplar Fund,) bearing Interest at 4 per cent per annum	258,460
Unclaimed Prize Money applicable to - ditto } (Act 1 & 2 Geo. 4. c. 61, and 9 Geo. 4. c. 50.) - ditto -	36,652
Warrants passed the Court unpaid *	43,612
What owing for Teas returned by the Buyers and resold	971
Dividends on Stock	45,483
Interest on Bonds	46,963
Amount owing for Commercial Exports	105,890
Amount owing to the Widows' Funds, bearing Interest at 5 p' cent p' annum	5,534
Amount due to the Trustees of the Deccan Booty, on Consignments of Bullion from the Prize Funds in India	10,762
	£. 1,341,805

Territorial and Political Debts, brought down	- £. 10,877,996	£.	£.
Ditto - Assets - ditto	- 881,291		
Territorial Assets deficient	- - - -	9,996,705	
Commercial Debts, brought down	- - £. 1,341,805		
Ditto - Assets - ditto	- - 22,921,970		
Commercial Assets in favour	- - - -	21,580,165	
Assets in favour	- - - -	- - £.	11,583,460
The Amount of the Company's Home Bond Debt, bearing Interest at 2½ per cent per annum		3,735,062	
Ditto - ditto - not bearing Interest		15,417	
			3,750,479
Assets in favour	- - - -	£.	7,832,981

with the Rates of Interest they respectively carry, and the Amount of such Interest, and the the Company in *Great Britain* and *Afloat Outward*, on 1st May 1831:
Branch, from the DEBTS and ASSETS in the COMMERCIAL Branch.

TERRITORIAL BRANCH.

ASSETS:	£.
BY Exports of Military Stores, &c. shipped in season 1830/31, with the amount remaining unshipped on 1st May 1831 - - - - -	252,630
Cargoes from England of season 1829/30 not arrived in India, &c. at the close of the Official Year 1829/30 - - - - -	177,545
What owing from sundry persons for advances repayable in England - - - - -	37,337
Bills of Exchange drawn on His Majesty's Government for Supplies furnished in India, and other Bills drawn in the Company's favour, unpaid 1st May 1831 - - - - -	21,646
Value of Carnatic Stock belonging to the Company - - - - -	44,873
Value of the East India College at Haileybury, and of the Military Seminary at Addiscombe - - - - -	177,200
Balances in hands of Officers of the House, &c. of Sums advanced to pay Political Charges - - - - -	2,425
Amount of Bullion arrived on the Territorial and Political Account, the proceeds of which had not been realized on 1st May 1831 - - - - -	167,635
£.	881,291

BRANCH.

BY what due from the Public to the Company, East India Annuities engrafted on the 3 per Cents Reduced, (per Act 33 Geo. 3. c. 47) - - - - -	£. 1,207,560
Cash, its Balance on 1st May 1831 - - - - -	1,051,303
Amount of Goods sold, not paid for - - - - -	763,653
Value of Goods in England unsold - - - - -	6,697,920
Cargoes from England of 1829/30, not arrived in India and China at the close of the Official Year 1829/30 - - - - -	532,606
Exports shipped in season 1830/31, together with the Amount remaining unshipped 1st May 1831 - - - - -	652,945
Impress paid Owners of Ships not arrived in England - - - - -	80,285
Value of Ships, Sloops and Vessels, exclusive of those stationed abroad - - - - -	182,803
Value of the East India House and Warehouses - - - - -	1,294,768
What owing from sundry Persons for Advances repayable in England, Balances due from Fee Funds, &c. - - - - -	24,565
Balances in hands of Officers of the House and Warehousekeepers, of Sums advanced to pay Commercial Charges - - - - -	1,851
Stock in the Public Funds standing in the Company's name, valued at the Market Prices, 1st May 1831 - - - - -	690,156
The Territorial Branch for Territorial and Political Payments, made in England between 1st May 1814 and 1st May 1831 (including Interest) - - - - -	* 9,721,070
Amount due from the Board of Ordnance, on account of Saltpetre delivered to them - - - - -	20,360
Amount of Bills of Exchange of a commercial description, drawn in the Company's favour, unpaid 1st May 1831 - - - - -	125
£.	22,921,970

* THIS Balance is also subject to reduction, by the Amount of the Advances made in India from the Territorial Branch to the Commercial Branch, in the Indian Official Years 1829/30 and 1830/31; the Documents whereby the Amount of these Advances is to be ascertained, have not as yet been received from India, but which, it is estimated, may amount to £. 5,154,739, which will leave a Balance due to the Commerce, of £. 4,566,331, including Interest. It is also subject to adjustment with reference to the Amount with which the Territorial Branch is chargeable, in respect of the loss upon Consignments of Merchandize, made with a view to meet the demands upon the Home Treasury for Bills of Exchange drawn for Interest of India Debt, in conformity with the plan of 1814, for the arrangement of the Home Accounts.

The respective Balances of the Political and Commercial Branches, as exhibited in this Account, will be likewise subject to adjustment from the same causes.

In the period from 1st May 1814 to 1st May 1831, there has also been advanced or set apart from the Surplus Commercial Profits in England, the sum of £. 4,998,798, towards the liquidation of Indian Territorial Debt, which being a Payment under the 4th head of Appropriation of the 57th Section of the 53d Geo. 3, is not held to constitute a Claim upon the Territorial Department for repayment, upon the principle observed in respect to other Territorial Advances.

The Home Bond Debt is stated without specific application to either Branch of the Company's Affairs, it not being determined to what extent the Debt had its origin, from political causes.

East India House, }
22d June 1831. }

(Errors excepted.)

THO^s G. LLOYD,
Acc^t Gen^l.

2.)—AN ACCOUNT of NEW or INCREASED SALARIES, ESTABLISHMENTS, or PENSIONS, payable in *Great Britain*, granted or created between the 1st May 1830 and 1st May 1831.

SALARIES.	Political.			Commercial.			TOTAL.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
INCREASE of Salary to Dr. Alexander Anderson, Mr. Samuel Parlour, and Mr. John B. Rudduck, Assistant Mathematical and Classical Masters at the Military Seminary, £. 25 per annum each	75	-	-	-	-	-	75	-	-
— Monsieur M. de la Voye, French Master, ditto	25	-	-	-	-	-	25	-	-
(The above increased Allowances are not to be continued to the Successors of the several Individuals.)									
Additional Salaries, not exceeding £. 20 per annum respectively, to junior and other Clerks of the Establishment, under the Salary Regulations	692	10	-	1,507	10	-	2,200	-	-
£.	792	10	-	1,507	10	-	2,300	-	-
PENSIONS, &c.									
TO the Wife and Family of Mr. Luke Springbett, late one of the Company's Auctioneers, in consideration of their distressed situation, during the pleasure of the Court	-	-	-	200	-	-	200	-	-
Mrs. Beatson, Widow of the late Major-General Beatson, for herself and nine children, in consideration of his distinguished services :									
For herself (during widowhood)	-	-	£. 100	-	-	-	-	-	-
- one son, being blind (for life)	-	-	20	-	-	-	-	-	-
- the other eight children, boys till 18, girls till 21 or married, £. 10 per ann. each	-	-	80	-	-	-	-	-	-
	200	-	-	-	-	-	200	-	-
Captain Peter Page, late Assistant Inspector of Military Stores, that Office having been abolished (during pleasure)	200	-	-	-	-	-	200	-	-
Mr. James Norman, late one of the Doorkeepers to the Court, in consideration of his long services (vacancy not to be filled up)	120	-	-	60	-	-	180	-	-
Sir J. B. Stonhouse, Bart., late of the Bengal Civil Establishment, while he continues in a state of mental derangement, and without other means of maintenance	150	-	-	-	-	-	150	-	-
Mrs. Ann Presgrave, Widow of Mr. E. Presgrave, late Civil Servant, Prince of Wales' Island Establishment, for herself and four children, in consideration of his faithful services :—									
For herself (during widowhood)	-	-	£. 50	-	-	-	-	-	-
- her four children; boys till 18, girls till 21 or married, £. 25 per annum each	-	-	100	-	-	-	-	-	-
	150	-	-	-	-	-	150	-	-
Lieutenant-colonel John Duncan, late Bengal Establishment (in addition to his retiring pay) in consideration of his services and loss of sight	135	-	-	-	-	-	135	-	-
William Pinks, late Porter at the East India House, in consideration of his long services	50	-	-	50	-	-	100	-	-
George Harvey, late Porter - - - ditto - - - ditto	45	-	-	45	-	-	90	-	-
Mr. James Byrn, late Clerk, Auditor's Office	80	-	-	-	-	-	80	-	-

(2).—Account of New or Increased Salaries, &c. payable in *Great Britain*—continued.

PENSIONS, &c.—continued.		Political.			Commercial.			TOTAL.		
		£.	s.	d.	£.	s.	d.	£.	s.	d.
TO Captain J. M. A. Lucas, late Bengal Establishment (in addition to his retiring pay) in consideration of his highly meritorious services - }		50	-	-	-	-	-	50	-	-
- James Fairfax, late Commander of the St. Helena Schooner, in } consideration of his merits and services - - - - }		50	-	-	-	-	-	50	-	-
The Wife and Family of Mr. Edward Sharp, late an Extra Clerk, in } consideration of their destitute condition - - - - }		33	6	8	16	13	4	50	-	-
Miss E. A. Trotter, sister of the late Major Alexander Trotter, Bengal } Establishment, in consideration of her destitute situation; so long } as she continues unmarried - - - - - }		30	-	-	-	-	-	30	-	-
Mr. Donald Cameron, late Sub-Inspector of Military Stores - }		70	-	-	-	-	-	70	-	-
- George Fife - - - ditto - - - ditto - - - }		60	-	-	-	-	-	60	-	-
- Henry Moore, Examiner of Military Stores - - - }		60	-	-	-	-	-	60	-	-
- James A. Walker - - - ditto - - - - - }		50	-	-	-	-	-	50	-	-
- John Ford - - - - ditto - - - - - }		50	-	-	-	-	-	50	-	-
- James Snowden - - - ditto - - - - - }		40	-	-	-	-	-	40	-	-
- John Stradley, Assistant - ditto - - - - }		35	-	-	-	-	-	35	-	-
- William Homer - - - ditto - - - - - }		40	-	-	-	-	-	40	-	-
- William Sheppard, Writer Military Store Department - }		60	-	-	-	-	-	60	-	-
John Baird, late Door Porter, on account of his age and infirmity - }		30	-	-	30	-	-	60	-	-
Thomas Ibbs - - ditto - - - - - ditto - - - - }		30	-	-	30	-	-	60	-	-
John Salter, Commodore of the Messengers - }		25	-	-	25	-	-	50	-	-
John Burls - - - - ditto - - - - - }		25	-	-	25	-	-	50	-	-
(One of these situations not to be filled up.)										
Samuel Binks, Messenger - - - - - }		25	-	-	25	-	-	50	-	-
John Green - ditto - - - - - }		20	-	-	20	-	-	40	-	-
Samuel Newey ditto - - - - - }		20	-	-	20	-	-	40	-	-
(These Vacancies not to be filled up.)										
Sundry small Pensions under £. 30 per annum each - - - - }		95	3	4	-	-	-	95	3	4
Ditto - - - - under £. 25 per annum each, to the Widows and } Children of deceased Subscribers to the Fund established by the Court, } for the benefit of the Widows and Children of Elders, Extra Clerks, and } other persons, amounting in the present year to - - - - }		6	12	-	78	7	4	84	19	4
£.		2,035	2	-	625	-	8	2,660	2	8

ALLOWANCES, COMPENSATIONS, REMUNERATIONS, and SUPERANNUATIONS, granted to the Officers and Servants of The *East India Company*, under the 93d sect. of the Act 53d Geo. 3. c. 155. between the 1st May 1830 and 1st May 1831.

NAME.	STATION.	Number of Years Service.	Age.	Amount of Salary and allowed Emoluments.	Proportion of Income which the Court are empowered to grant.	AMOUNT OF SUPERANNUATION ALLOWANCE.		
						Political.	Commercial.	TOTAL.
				£.		£. s. d.	£. s. d.	£. s. d.
Mr. W ^m M ^c Cullock	late Examiner Indian Correspondence - }	21	57	2,310	2/3 rd	1,540 - -	- - -	1,540 - -
- *John Foster -	- Company's Husband	34	51	1,200	-	- - -	700 - -	700 - -
- *William Collett	- Clerk, Accountant's Office - }	43	58	960	-	137 10 -	412 10 -	550 - -
- *Tho ^s Maitland	- D ^o Auditor's Office -	35	51	810	-	500 - -	- - -	500 - -
- *Sam ^l Babington	- D ^o Secretary's Office	22	39	620	-	266 13 4	133 6 8	400 - -
- *James Malbon -	- D ^o Chart Office -	44	65	610	-	- - -	400 - -	400 - -
- *J. M. Connell -	- D ^o Shipping Office -	28	44	620	-	- - -	400 - -	400 - -
- *James Collins -	- Extra Clerk - -	24	41	270	-	120 - -	60 - -	180 - -
- *William Lewis	- D ^o - - -	32	57	236	-	100 - -	50 - -	150 - -
- *Philip W. Wood	- D ^o - - -	34	62	233	-	100 - -	50 - -	150 - -
- *F. C. Armstrong	- D ^o - - -	16	32	186	1/2	60 - -	30 - -	90 - -
- G. H. Middleton	- D ^o - - -	12	30	160	1/2	53 6 8	26 13 4	80 - -
- *Adolp ^s Dodd -	- D ^o - - -	12	31	130	1/2	33 6 8	16 18 4	50 - -
- *John Pasmore -	- Deputy Assis ^t Elder	41	67	80	2/3 rd	- - -	40 - -	40 - -
£.						2,910 16 8	2,319 3 4	5,230 - -

THE Vacancies occasioned by the retirement of the several Officers and Servants marked thus(*) have not been filled up; the Home Establishment of the Company being reduced to that extent

(Errors excepted.)

East India House, }
22d June 1831. }

THO^s G. LLOYD,
Acc^t Gen^l.

EAST INDIA ACCOUNTS.

VIZ.

—(1.)—

ANNUAL ACCOUNT,

Made up to the 1st day of May 1831; Containing, The Amount of the Proceeds of the Sale of Goods and Merchandise of The East India Company in Great Britain, and of their Commercial and other Receipts, Charges, and Payments, in Great Britain, under the several Heads thereof; together with an Estimate of the same for the Current Year;—and, A Statement of their Bond Debits, and Sundry Contractor Debits, with the Rates of Interest they respectively carry, and the Amount of such Interest; and the State of CASH remaining in their Treasury, and other Effects appertaining to the Company, in Great Britain, and Afloat; distinguishing the Receipts and Payments, Debits and Assets, in the Political and Territorial Branch, from the Receipts and Payments, Debits and Assets, in the Commercial Branch.

—(2.)—

AN ACCOUNT of NEW or INCREASED SALARIES, ESTABLISHMENTS or PENSIONS payable in Great Britain, granted or created between the 1st May 1830 and 1st May 1831:—and ALLOWANCES, COMPENSATIONS, REMUNERATIONS and SUPERANNUATIONS granted to the Officers and Servants of The East India Company, under the 93d Section of the Act 53 Geo. 3. c. 155. for the same Period.

*Ordered, by The House of Commons, to be Printed,
24 June 1831.*

A C C O U N T S,
RESPECTING THE
ANNUAL REVENUES AND DISBURSEMENTS,
TRADE AND SALES,
OF
The East India Company,
FOR THREE YEARS,
(1826/27) — (1827/28) — (1828/29)
ACCORDING TO THE LATEST ADVICES:
Together with the latest ESTIMATE of the Same,
(1829/30.)

Ordered, by The House of Commons, to be Printed,
22 June 1831.

**LIST of ACCOUNTS presented to the Honourable The House of Commons,
in obedience to the Act of the 54 GEO. III. c. 36, sect. 55.**

- No. 1.—AN ACCOUNT of the Annual Revenues and Charges of BENGAL, under the respective Heads thereof, for Three Years, according to the latest Advices; with an Estimate of the same for the succeeding Year - - - - - pp. 6 & 7
- No. 2.—A COMPARISON of the Estimated and Actual Revenues and Charges of BENGAL, for the Year 1828-29 - - - - - pp. 8 & 9
- No. 3.—AN ACCOUNT of the Revenues and Charges of FORT ST. GEORGE, under the respective Heads thereof, for Three Years, according to the latest Advices; with an Estimate of the same for the succeeding Year - - - - - pp. 10 & 11
- No. 4.—A COMPARISON of the Estimated and Actual Revenues and Charges of FORT ST. GEORGE, for the Year 1828-29 - - - - - pp. 12 & 13
- No. 5.—AN ACCOUNT of the Revenues and Charges of BOMBAY, under the respective Heads thereof, for Three Years, according to the latest Advices; with an Estimate of the same for the succeeding Year - - - - - pp. 14 & 15
- No. 6.—A COMPARISON of the Estimated and Actual Revenues and Charges of BOMBAY, for the Year 1828-29 - - - - - pp. 16 & 17
- No. 7.—AN ACCOUNT of the Revenues and Charges of PRINCE OF WALES ISLAND, SINGAPORE, MALACCA, and ST. HELENA, for Three Years, according to the latest Advices; with an Estimate of the same for the succeeding Year - - - p. 18
- No. 8.—GENERAL ABSTRACT VIEW of the Actual Revenues and Charges of INDIA, for Three Years, according to the latest Advices; with an Estimate of the same for the succeeding Year; showing the Net Revenue, the Amount paid for Interest on Debts, and the remaining Surplus Revenue or Surplus Charge - - - - - p. 19
- No. 9.—ABSTRACT STATEMENT of the Receipts and Disbursements of the BENGAL Government, from 1st May 1828 to 30th April 1829 - - - - - pp. 22—35
- No. 10.—ABSTRACT STATEMENT of the Receipts and Disbursements of the MADRAS Government, from 1st May 1828 to 30th April 1829 - - - - - pp. 36—41
- No. 11.—ABSTRACT STATEMENT of the Receipts and Disbursements of the BOMBAY Government, from 1st May 1828 to 30th April 1829 - - - - - pp. 42—47
- No. 12.—ABSTRACT STATEMENT of the Actual Receipts and Disbursements of PRINCE OF WALES ISLAND, SINGAPORE and MALACCA, for 1828-29 - - - pp. 48—55
- No. 13.—AN ACCOUNT of the Balance of Quick Stock; exhibiting a State of the Company's Affairs, in respect to their Assets and Debts, as they stood at the several Presidencies of FORT WILLIAM, FORT ST. GEORGE, BOMBAY, and at the Presidency of PRINCE OF WALES ISLAND, including SINGAPORE and MALACCA, at the conclusion of the Year 1828-29 - - - - - pp. 56 & 57
- No. 14.—AMOUNT of Bond and other Debts, owing by The *East India* Company, at their several Presidencies in the EAST INDIES, on the 30th April 1829; the Rates of Interest which such Debts respectively carry, and the Annual Amount of such Interest - - - - - pp. 58—60
- No. 15.—ABSTRACT ESTIMATE of the Probable Receipts and Disbursements of the BENGAL Government, from the 1st May 1829 to 30th April 1830 - - pp. 62—69

No. 16.—ABSTRACT

- No. 16.—ABSTRACT ESTIMATE of the Probable Receipts and Disbursements of the MADRAS Government, from the 1st May 1829 to 30th April 1830 - pp. 70—73
- No. 17.—ABSTRACT ESTIMATE of the Probable Receipts and Disbursements of the BOMBAY Government, from the 1st May 1829 to 30th April 1830 - pp. 74—79
- No. 18.—ABSTRACT ESTIMATE of the Probable Receipts and Disbursements of PRINCE OF WALES ISLAND, SINGAPORE, and MALACCA, from the 1st May 1829 to the 30th April 1830 - - - - - pp. 80—85
- No. 19.—AN ACCOUNT of the Annual Charges defrayed by The *East India* Company, for the Management of their Trade and Commerce in BENGAL, MADRAS, BOMBAY, and PRINCE OF WALES ISLAND; also, an Account of the Factory Charges at CANTON, for Three Years, according to the latest Advices; with an Estimate of the same for the succeeding Year - - - - - p. 86
- No. 20.—AN ACCOUNT of the Amount received at the several Presidencies of FORT WILLIAM, FORT ST. GEORGE, BOMBAY, and PRINCE OF WALES ISLAND, for Sales of Import Goods, for Three Years, according to the latest Advices; with an Estimate of the same for the succeeding Year - - - - - p. 87
- No. 21.—AN ACCOUNT of the Prime Cost of all Cargoes purchased by The *East India* Company in India, and shipped for Europe, for Three Years, according to the latest Advices - - - - - p. 88

East India House, }
14 May 1831. }

JAMES C. MELVILL,
Aud^r of India Acco^{ts}.

No. 1 & 2.	- -	BENGAL ANNUAL REVENUES AND CHARGES	- - - -	pp. 6—9
No. 3 & 4.	- -	FORT ST. GEORGE	- - - - ditto - - - -	pp. 10—13
No. 5 & 6.	- -	BOMBAY	- - - - ditto - - - -	pp. 14—17
No. 7.	- - -	PRINCE OF WALES ISLAND	- ditto - - - -	p. 18
No. 8.	- - -	GENERAL ABSTRACT VIEW of the REVENUES and CHARGES in INDIA	- - - -	p. 19

No. 1.—AN ACCOUNT of the Annual Revenues and Charges of BENGAL,
With an ESTIMATE of the

	1826/27.	1827/28.	1828/29.	Per Estimate, 1829/30.
	Curr ^r Rupees.	Curr ^r Rupees.	Curr ^r Rupees.	Curr ^r Rupees.
MINT or Coinage Duties and Profits - - - -	3,25,950	3,21,767	82,257	2,66,800
Post Office Collections - - - - -	8,48,815	9,18,327	9,13,015	8,72,320
Stamp Duties - - - - -	(^a) 21,96,076	23,85,459	23,69,326	24,92,629
Judicial Fees and Fines, and Licenses for the Sale of Spirituos Liquors, &c. - - - - -	(^c) 8,22,759	8,54,411	7,74,841	7,65,600
Customs in Bengal, Behar and Orissa - - - -	(^b) 33,09,702	36,73,549	36,12,586	35,67,000
Land and Sayer Revenues of - ditto - ditto -	3,78,47,169	3,86,22,576	3,87,29,169	3,86,62,800
Benares Revenues, Customs, Judicial Fees, &c. - -	78,47,837	77,85,324	73,55,558	4,97,88,571
Ceded Provinces in Oude, 1801, Revenues, Customs, &c.	1,95,85,377	1,81,35,624	1,75,76,699	
Conquered Provinces - 1803/4 ditto - ditto -	2,33,35,437	2,39,81,040	2,36,55,238	
Ceded Territory on the Nerbuddah: Land Revenues, Tributes, &c. - - - - -	59,64,994	50,82,937	49,31,373	57,14,160
Territory ceded by the Burmese: Revenues, &c. - -	7,07,358	8,74,869	11,74,868	10,32,400
Indemnification on account of the War with Ava; being part of a Crore of Rupees, as per 5th Article of the Treaty of Peace, dated 24th February 1826 -	55,31,387	18,60,103	17,38,969	9,22,200
Bhurlpore: Received in part on account War Charges -	- - -	- - -	8,98,178	3,48,000
Scindia: - Balance due on account Auxiliary Horse -	- - -	- - -	16,12,199	-
Sale of Salt - - - - -	2,17,33,450	2,38,22,772	2,27,48,245	1,93,14,000
Sale of Opium - - - - -	1,71,53,079	2,05,16,209	1,93,08,910	1,75,74,000
Marine: Receipts for Pilotage, Hire of Moorings, &c. -	3,61,498	3,84,859	3,67,265	3,53,800
TOTAL REVENUES - - - C^r R^r	14,75,70,888	14,92,19,826	14,78,48,696	14,16,74,280
Or, at 2 s. the Current Rupee - £. St ^r	14,757,089	14,921,983	14,784,870	14,167,428
Deduct CHARGES - - - - -	11,891,536	11,774,626	10,149,617	9,793,348
NET REVENUES - - - £. St^r	2,865,553	3,147,357	4,635,253	4,374,080

(^a) Stamp Duties in Lower Provinces, as above	21,96,076	23,85,459	23,69,326	24,92,629
Ditto - - in Western Provinces, in- cluded in Ceded and Conquered -	9,13,232	8,91,628	7,88,510	8,29,611
Total Stamp Duties - - - C^r R^r	31,09,308	32,77,087	31,57,836	33,22,240
(^b) Customs, as above - - - - -	33,09,702	36,73,549	36,12,586	35,67,000
Ditto - in Benares - - - - -	9,16,204	7,92,882	7,54,592	42,86,200
Ditto - in Oude - - - - -	8,01,725	7,74,129	8,66,198	
Ditto - in Conquered Provinces - -	23,26,336	26,57,896	27,84,611	
Total Customs - - - - C^r R^r	73,53,967	78,98,456	80,17,987	78,53,200
(^c) Judicial, as above - - - - -	8,22,759	8,54,411	7,74,841	7,65,600
Ditto - in Benares - - - - -	27,666	14,925	17,169	16,240
Ditto - in Oude - - - - -	40,933	47,947	59,086	58,000
Ditto - in Conquered Provinces - -	31,725	29,117	38,706	37,120
Total Judicial - - - - C^r R^r	9,23,083	9,46,400	8,89,802	8,76,960

East India House,
14 May 1831. }

(Errors excepted.)

under the respective Heads thereof, for Three Years, according to the latest Advices:
same for the succeeding Year.

	1826/27.	1827/28.	1828/29.	Per Estimate, 1829/30.
	Curr ^t Rupees.	Curr ^t Rupees.	Curr ^t Rupees.	Curr ^t Rupees.
Mint Charges - - - - -	4,74,261	3,79,888	2,13,324	2,12,280
Post Office Charges - - - - -	8,64,497	8,90,749	8,19,781	8,17,800
Charges of the Civil Establishments and Contingent Charges - - - - -	1,32,18,235	1,10,28,251	83,89,253	85,71,240
Stamp Office Charges - - - - -	6,77,663	8,16,891	7,22,281	7,42,400
TOTAL CIVIL CHARGES - - C^t R^t	1,52,34,656	1,31,15,779	1,01,44,639	1,03,43,720
JUDICIAL CHARGES; viz. Supreme Court of Judicature, and Law Charges incidental to its Establishment - }	5,42,390	5,11,792	5,51,101	5,51,000
Charges of the Sadar and Zillah Courts, and Police Establishment in Bengal, Behar and Orissa - }	(b) 59,64,816	62,66,981	59,18,154	58,20,880
TOTAL JUDICIAL CHARGES - C^t R^t	65,07,206	67,78,773	64,69,255	63,71,880
Charges collecting the Customs of Bengal, Behar and Orissa - - - - -	(a) 6,26,835	6,57,940	6,26,276	6,26,400
Charges on the Revenues of Bengal, Behar and Orissa, including Stipends to the Nabob and his family, &c. }	63,38,131	66,45,167	57,29,939	57,67,520
Benares Charges: Collecting the Revenues and Customs, Judicial, &c. Charges - - - - -	22,74,899	23,23,593	20,59,204	24,19,760
Oude Charges: Collecting - ditto - ditto - - -	55,29,068	50,62,226	47,59,806	45,11,607
Conquered Provinces: Charges collecting - ditto - ditto	68,11,616	83,68,246	87,26,293	85,96,393
Ceded Territory on the Nerbuddah: Charges - - -	10,13,143	8,72,988	8,45,634	14,97,560
Territory Ceded by the Burmese - ditto - - -	2,86,598	8,29,067	5,24,851	4,17,600
Salt: Advances and Charges - - - - -	68,49,450	80,83,223	88,40,535	52,78,000
Opium: - ditto - ditto - - - - -	51,27,126	65,22,544	67,85,539	66,64,200
Deduct Advances on account Malwa Opium, charged in 1823/24, now adjusted, the Agency at that period being under Bombay - - - - -	- - -	- - -	17,25,938	-
			50,59,601	-
Military Charges - - - - -	5,51,11,623	4,48,42,993	4,25,17,253	4,10,03,300
Gratuity Batta to King's and Company's Troops em- ployed in the Burmese War - - - - -	7,59,657	9,12,308	39,055	-
Portion of Sums ordered for distribution to the Deccan Captors, credited in the Revenues of former years - }	- - -	60,09,053	-	-
Buildings and Fortifications - - - - -	53,44,974	54,84,905	39,69,281	31,99,280
Marine Charges - - - - -	11,00,375	11,77,451	11,84,551	12,36,258
TOTAL CHARGES - - - C^t R^t	11,89,15,357	11,77,46,256	10,14,96,173	9,79,33,478
Or, at 2s. the Current Rupee - £. Sts	11,891,536	11,774,626	10,149,617	9,793,348
(a) Customs, as above - - - - -	6,26,835	6,57,940	6,26,276	6,26,400
Ditto - in Benares - - - - -	1,42,759	1,33,057	1,26,599	1,26,440
Ditto - in Oude - - - - -	1,95,098	2,09,519	2,00,137	2,00,274
Ditto - in Conquered Provinces - - -	2,42,607	2,45,299	2,70,948	2,38,206
Total Customs - - - C^t R^t	12,07,299	12,45,815	12,23,960	11,91,320
(b) Judicial, as above - - - - -	59,64,816	62,66,981	59,18,154	58,20,880
Ditto - in Benares - - - - -	9,41,381	9,44,672	9,44,326	8,82,180
Ditto - in Oude - - - - -	16,92,608	20,40,040	18,23,905	17,31,880
Ditto - in Conquered Provinces - - -	12,24,095	13,27,100	12,86,012	13,85,620
Total Judicial - - - C^t R^t	98,22,900	1,05,78,792	99,72,397	98,20,560

JAMES C. MELVILL,

Aud^t India Acco^{ts}.

A 4

No. 2.—A COMPARISON of the Estimated and Actual

	Estimated Amount in 1828/29.	Actual Amount in 1828/29.	Surplus in the Actual Receipts.	Deficiency in the Actual Receipts.
REVENUES:				
	Currt Rupees.	Currt Rupees.	Currt Rupees.	Currt Rupees.
MINT or Coinage Duties and Profits - - - -	1,97,200	82,257	- - -	1,14,943
Post Office Collections - - - - -	9,10,600	9,13,015	2,415	—
Stamp Duties - - - - -	25,05,600	23,69,326	- - -	1,36,274
Judicial Fees and Fines, and Licenses for the Sale of Spirituos Liquors, &c. - - - - -	8,93,200	7,74,841	- - -	1,18,359
Customs in Bengal, Behar and Orissa - - - -	34,80,000	36,12,586	1,32,586	—
Land and Sayer Revenues, of ditto - ditto - - -	3,85,35,200	3,87,29,169	1,93,969	—
Benares Revenues, Customs, Judicial Fees, &c. - -	4,94,45,000	73,55,558	- - -	8,57,505
Ceded Provinces in Oude, 1801: Revenues, Customs, &c.		1,75,76,699		
Conquered Provinces, 1803/4 - ditto - ditto -		2,36,55,238		
Ceded Territory in the Nerbuddah: Revenues, Tributes, &c. - - - - -	63,64,920	49,31,373	- - -	14,33,547
Territory ceded by the Burmese: Revenues, &c. -	7,67,920	11,74,868	4,06,948	—
Indemnification on account of the War with Ava, being part of a Crore of Rupees as p' Treaty, 24th Fe- bruary 1826 - - - - -	20,88,000	17,38,969	- - -	3,49,031
Bhurtpore: Received in part on account War Charges -	9,28,000	8,98,178	- - -	29,822
Scindia: Balance due on account Auxiliary Horse -	16,12,400	16,12,199	- - -	201
Sale of Salt - - - - -	2,25,04,000	2,27,48,245	2,44,245	—
Sale of Opium - - - - -	1,80,49,600	1,93,08,910	12,59,310	—
Marine: Receipts for Pilotage, Hire of Moorings, &c. -	4,15,280	3,67,265	- - -	48,015
TOTAL REVENUES - - Current Rupees	14,86,96,920	14,78,48,696	22,39,473	30,87,697
Or, at 2 s. the Current Rupee - £. Sts	14,869,692	14,784,870	223,948	308,770
Deduct CHARGES - - - - - £.	10,525,914	10,149,617	Net Deficiency of Actual Re- venues - - -	84,822
NET REVENUES - - - - - £. Sts	4,343,778	4,635,253	Net Deficiency of Actual Charges	3,76,297
			Surplus of Ac- tual Net Re- venues - - -	291,475

East India House, }
14 May 1831. }

(Errors excepted.)

Revenues and Charges of BENGAL, for the Year 1828/29.

	Estimated Amount in 1828/29.	Actual Amount in 1828/29.	Surplus in Actual Charges.	Deficiency in Actual Charges.
CHARGES:	Curr ^t Rupees.	Curr ^t Rupees.	Curr ^t Rupees.	Curr ^t Rupees.
Mint Charges - - - - -	3,48,000	2,13,324	- - -	1,34,676
Post Office Charges - - - - -	8,85,080	8,19,781	- - -	65,299
Charges of the Civil Establishments and contingent Charges - - - - -	88,55,440	83,89,253	- - -	4,66,187
Stamp Office Charges - - - - -	7,19,200	7,22,281	3,081	—
TOTAL CIVIL CHARGES - - - C^t R^s	1,08,07,720	1,01,44,639	3,081	6,66,162
JUDICIAL CHARGES: viz. Supreme Court of Judicature, and Law Charges incidental to its Establishment - }	5,32,440	5,51,101	18,661	—
Charges of the Sudder and Zillah Courts, and Police Establishment in Bengal, Behar and Orissa - }	60,76,080	59,18,154	- - -	1,57,926
TOTAL JUDICIAL CHARGES - - - C^t R^s	66,08,520	64,69,255	18,661	1,57,926
CHARGES collecting the Customs of Bengal, Behar and Orissa - - - - - }	6,51,920	6,26,276	- - -	25,644
Charges on the Revenues of Bengal, Behar and Orissa, including Stipends to the Nabob and his family, &c. - }	59,64,720	57,29,939	- - -	2,34,781
Benares Charges: Collecting the Revenues and Customs, Judicial, &c. Charges - - - - - }	23,75,680	20,59,204	- - -	3,16,476
Oude Charges: Collecting - ditto - ditto - - - - -	52,38,151	47,59,806	- - -	4,78,345
Conquered Provinces: Collecting - ditto - ditto - - -	98,47,646	87,26,293	- - -	11,21,353
Ceded Territory on the Nerbuddah: Charges - - -	9,10,600	8,45,634	- - -	64,966
Territory ceded by the Burmese - ditto - - -	6,28,720	5,24,851	- - -	1,03,869
Salt: Advances and Charges - - - - -	75,86,400	88,40,535	12,54,135	—
Opium: ditto - - ditto - - - - -	46,19,120	50,59,601	4,40,481	—
Military Charges - - - - -	4,33,40,046	4,25,17,253	- - -	8,22,793
Gratuity Batta to King's and Company's Troops em- ployed in the Burmese War - - - - - }	3,48,000	39,055	- - -	3,08,945
Buildings and Fortifications - - - - -	47,89,099	39,69,281	- - -	8,19,818
Marine Charges - - - - -	15,42,800	11,84,551	- - -	3,58,249
TOTAL CHARGES - - - - - C^t R^s	10,52,59,142	10,14,96,173	17,16,358	54,79,327
Or, at 2 s. the Current Rupee - - - £. Sts	10,525,914	10,149,617	171,636	547,933
			Deficiency in Actual Charges } £.	376,297

JAMES C. MELVILL,
Aud^r India Acco^{ts}.

No. 3.—AN ACCOUNT of the Revenues and Charges of FORT SAINT GEORGE,
With an ESTIMATE of the

	1826/27.	1827/28.	1828/29.	Per Estimate, 1829/30.
	Pagodas.	Pagodas.	Pagodas.	Pagodas.
MINT Duties - - - - -	11,676	10,830	5,887	5,714
Post Office Collections - - - - -	73,759	80,109	79,658	79,657
Stamp Duties - - - - -	1,42,268	1,40,652	1,41,591	1,41,429
Judicial Fees, Fines, &c. - - - - -	34,972	34,612	35,890	35,800
Farms and Licenses of exclusive Privileges of Ancient Possessions - - - - -	(*) 2,25,780	2,25,980	2,34,674	2,50,345
Customs of Ancient Possessions - - - - -	(*) 4,46,765	4,46,562	4,71,744	4,93,637
Land Revenues of Ancient Possessions, including the Circars and Jaghire Lands - - - - -	22,32,723	21,15,913	21,12,161	22,39,357
Land Revenues, Customs, &c. from the Carnatic - - - - -	33,76,720	35,10,855	34,72,799	35,07,628
Ditto - - ditto - - - Tanjore - - - - -	11,25,122	9,86,680	10,99,964	12,16,441
Ditto - - ditto - - - Ceded and Conquered Provinces, Mysore, Malabar, &c. - - - - -	27,44,033	29,46,169	30,41,778	28,99,095
Ditto - - ditto - in Countries ceded by the Nizam - - - - -	15,86,201	14,60,923	16,00,696	15,40,228
Sale of Salt in Ancient Possessions - - - - -	(*) 4,03,110	3,87,011	4,49,451	4,43,716
Subsidy from Mysore - - - - -	7,00,000	7,00,000	7,00,000	7,00,000
Ditto - - Travancore - - - - -	2,23,746	2,23,746	2,23,746	2,23,746
Ditto - - Cochin - - - - -	57,143	57,143	57,143	57,143
Marine: Receipts from Boats, Light House, &c. - - - - -	19,619	19,507	19,619	19,429
Profits derived from the Government Bank - - - - -	* 15,50,566	22,904	25,033	21,600
Balance of the Native Pension Fund transferred to the credit of Government - - - - -	- - -	- - -	1,65,789	-
TOTAL REVENUES - Pagodas	1,49,54,203	1,33,69,596	1,39,37,623	1,38,74,965
Amount in which the Total Revenues of 1829/30 will fall short of the Estimate, according to information of the actual results of the Year - - - - -	- - -	- - -	- - -	3,15,783
				1,35,59,182
At 8s. the Pagoda - - - £. Sts	5,981,681	5,347,838	5,575,049	5,423,673
Deduct CHARGES - - - £. Sts	5,432,562	- - -	5,502,224	5,280,309
NET REVENUES - - - £. Sts	549,119	- - -	72,825	143,364
(*) Farms and Licenses, as above - - - - -	2,25,780	2,25,980	2,34,674	2,50,345
Ditto - from the Carnatic - - - - -	1,34,238	1,45,353	1,51,778	1,55,280
Ditto - from Tanjore - - - - -	16,663	18,658	21,812	21,719
Ditto - from the Ceded and Conquered Provinces - - - - -	1,75,199	1,83,034	1,77,298	1,81,460
Ditto - from the Countries ceded by the Nizam - - - - -	2,23,653	2,11,698	2,39,122	2,19,840
Pagodas - - -	7,75,533	7,84,723	8,24,679	8,28,644
(*) Customs, as above - - - - -	4,46,765	4,46,562	4,71,744	4,93,637
Ditto - from the Carnatic - - - - -	3,57,425	3,84,630	3,96,191	4,03,139
Ditto - from Tanjore - - - - -	1,15,856	1,11,065	1,33,020	1,11,728
Ditto - from the Ceded and Conquered Provinces - - - - -	3,07,087	3,28,878	3,59,051	3,34,809
Ditto - from the Countries ceded by the Nizam - - - - -	1,37,412	1,45,688	1,65,011	1,71,992
Pagodas - - -	13,64,545	14,16,823	15,25,017	15,15,305
(*) Sale of Salt, as above - - - - -	4,03,110	3,87,011	4,49,451	4,43,716
Ditto - in the Carnatic - - - - -	2,44,942	2,94,386	3,24,213	3,43,353
Ditto - in Tanjore - - - - -	67,617	68,737	93,568	94,500
Ditto - in the Ceded and Conquered Provinces - - - - -	1,11,428	1,15,347	1,43,809	1,43,214
Pagodas - - -	8,27,097	8,65,481	10,11,041	10,24,783

* Net Profits of the Bank at Madras, of which the Government are sole Proprietors, from 1805, the date of its institution, to 1826/27, after deducting the sum of 5,00,000 rupees, reserved to meet contingent losses.

East India House,
14 May 1831.

(Errors excepted.)

under the respective Heads thereof, for Three Years, according to the latest Advices:
same for the succeeding Year.

	1826/27.	1827/28.	1828/29.	Per Estimate, 1829/30.
	Pagodas.	Pagodas.	Pagodas.	Pagodas.
Mint Charges - - - - -	47,044	51,016	50,230	50,506
Post Office Charges - - - - -	64,727	73,348	72,582	73,086
Charges of the Civil Establishments - - - - -	8,06,456	8,33,792	7,80,477	7,53,371
Stamp Office Charges - - - - -	23,620	23,593	26,530	24,857
Paid on account Petty Claims on the Carnatic Fund - - - - -	26,835	1,550	64,095	60,000
TOTAL CIVIL - - -	9,68,682	9,83,299	9,93,914	9,61,820
JUDICIAL CHARGES: viz. Supreme Court of Judicature and Law Charges - - - - -	1,23,405	1,26,212	1,22,247	1,21,883
Charges of the Sudder and Zillah Courts and Police - - -	(*) 4,50,303	4,99,323	5,04,590	5,05,445
TOTAL JUDICIAL (Ancient Possessions)	5,73,708	6,25,535	6,26,837	6,27,328
CHARGES collecting the Customs in Ancient Possessions	(b) 68,461	72,676	73,780	69,191
Ditto - - - - Revenues - - ditto - - -	4,67,228	4,88,893	3,69,388	4,80,486
Carnatic: Charges collecting the Revenues and Customs, Judicial, &c. Charges - - - - -	11,42,578	12,31,649	11,35,587	10,80,713
Tanjore - - - - ditto - - ditto - - -	4,93,368	4,66,595	4,20,884	4,70,136
Ceded and Conquered Provinces ditto - - ditto - - -	6,97,135	7,48,330	8,56,147	8,30,773
Countries ceded by the Nizam ditto - - ditto - - -	2,79,657	3,32,278	3,05,319	2,97,094
Salt: Advances and Charges in Ancient Possessions - - -	(c) 76,786	74,292	82,936	81,601
Military Charges - - - - -	85,66,825	97,43,800	86,10,779	78,34,943
Buildings and Fortifications - - - - -	2,06,905	2,04,691	1,97,620	1,33,171
Marine Charges - - - - -	40,001	46,954	83,368	60,657
Amount in which the Total Charges of 1829/30 will exceed the Estimate, according to information of the actual results of that Year - - - - -	- - -	- - -	- - -	272,860
TOTAL CHARGES - Pagodas - - -	1,35,81,404	1,50,18,992	1,37,55,559	1,32,00,773
Or, at 8s. the Pagoda - - - £. Sts	5,432,562	6,007,597	5,502,224	5,286,309
Deduct REVENUES - - £. Sts	- - -	5,347,838	- - -	- - -
NET CHARGES - - £. Sts	- - -	659,759	- - -	- - -
(*) Judicial Charges, as above - - - - -	4,50,303	4,99,323	5,04,590	5,05,445
Ditto - - in the Carnatic - - - - -	1,00,911	1,10,733	1,14,023	1,07,238
Ditto - - in the Ceded and Conquered Provinces - - - - -	82,743	98,345	89,642	90,475
Ditto - - in the Countries ceded by the Nizam - - - - -	82,763	94,765	97,437	95,836
Pagodas - - -	7,16,720	8,03,166	8,05,692	7,98,994
(b) Charges collecting the Customs, as above - - -	68,461	72,676	73,780	69,191
Ditto - - - - Carnatic - - - - -	13,849	14,732	9,128	6,833
Ditto - - - - Tanjore - - - - -	2,382	2,596	3,532	3,563
Ditto - - - - Ceded and Conquered Provinces - - - - -	32,283	35,353	34,457	29,154
Ditto - - - - Countries ceded by the Nizam - - - - -	4,151	4,723	4,435	4,362
Pagodas - - -	1,21,126	1,30,079	1,25,332	1,13,103
(c) Salt, Advances and Charges, as above - - -	76,786	74,292	82,936	81,601
Ditto - - - - Carnatic - - - - -	55,070	55,673	63,375	54,214
Ditto - - - - Tanjore - - - - -	12,903	13,516	12,076	13,048
Ditto - - - - Ceded and Conquered Provinces - - - - -	43,593	42,569	47,917	44,369
Pagodas - - -	1,88,352	1,86,050	2,06,304	1,93,232

JAMES C. MELVILL,
Audr India Acco^{ts}.

No. 4.—A COMPARISON of the Estimated and Actual Revenues

	Estimated Amount in 1828/29.	Actual Amount in 1828/29.	Surplus in Actual Receipts.	Deficiency in Actual Receipts.
REVENUES:	Pagodas.	Pagodas.	Pagodas.	Pagodas.
MINT Duties - - - - -	10,857	5,887	- - -	4,970
Post Office Collections - - - - -	80,000	79,658	- - -	342
Stamp Duties - - - - -	1,40,857	1,41,591	734	—
Judicial Fees, Fines, &c. - - - - -	35,529	35,890	361	—
Farms, and Licenses of exclusive Privileges of Ancient Possessions - - - - -	2,42,627	2,34,674	- - -	7,953
Customs of Ancient Possessions - - - - -	4,87,610	4,71,744	- - -	15,866
Land Revenues of Ancient Possessions, including the Circar and Jaghire Lands - - - - -	21,89,251	21,12,261	- - -	77,090
Land Revenues, Customs, &c. from the Carnatic -	35,90,120	34,72,799	- - -	1,17,321
Ditto - - ditto - - Tanjore - - -	11,94,829	10,99,964	- - -	94,865
Ditto - - ditto - - Ceded and Conquered Provinces, Mysore, Malabar, &c. -	28,95,138	30,41,778	1,46,640	—
Ditto - - ditto - - in the Countries ceded by the Nizam -	15,42,948	16,00,696	57,748	—
Sale of Salt in Ancient Possessions - - - - -	4,17,317	4,49,451	32,134	—
Subsidy from Mysore - - - - -	7,00,000	7,00,000	—	—
Ditto - - Travancore - - - - -	2,23,746	2,23,746	—	—
Ditto - - Cochin - - - - -	57,143	57,143	—	—
Marine : Receipts from Boats, Lighthouse, &c. - -	19,571	19,619	48	—
Profits derived from the Government Bank - - -	25,052	25,033	- - -	19
Balance of the Native Pension Fund transferred to the credit of Government - - - - -	- - -	1,65,789	1,65,789	—
TOTAL REVENUES - - - Pagodas	1,38,52,595	1,39,37,623	4,03,454	3,18,426

East India House,
14 May 1831. }

(Errors excepted.)

and Charges of FORT SAINT GEORGE, for the Year 1828/29.

	Estimated Amount in 1828/29.	Actual Amount in 1828/29.	Surplus in Actual Charges.	Deficiency in Actual Charges.
CHARGES:	Pagodas.	Pagodas.	Pagodas.	Pagodas.
Mint Charges - - - - -	51,283	50,230	- - -	1,053
Post Office Charges - - - - -	72,571	72,582	11	—
Charges of the Civil Establishments - - - - -	8,52,622	7,80,477	- - -	72,145
Stamp Office Charges - - - - -	23,629	26,530	2,901	—
Petty Claims on the Carnatic Fund - - - - -	48,571	64,095	15,524	—
TOTAL CIVIL CHARGES - Pagodas	10,48,676	9,93,914	18,436	73,198
JUDICIAL CHARGES, &c. Supreme Court of Judicature, and Law Charges - - - - - }	1,22,742	1,22,247	- - -	1,495
Charges of the Sudder and Zillah Courts and Police -	4,95,506	5,04,590	9,084	—
TOTAL JUDICIAL CHARGES (Ancient Possessions)	6,19,248	6,26,837	9,084	1,495
CHARGES collecting the Customs in Ancient Possessions	71,244	73,780	2,536	—
Ditto - - Revenues - - ditto - - - - -	4,63,013	3,69,388	- - -	93,625
Carnatic: Charges collecting the Revenues and Customs, Judicial, &c. Charges - - - - - }	11,33,295	11,35,587	2,292	—
Tanjore - - ditto - - ditto - - ditto - -	4,45,190	4,20,884	- - -	24,306
Ceded and Conquered Provinces - ditto - ditto - ditto	7,41,342	8,55,147	1,13,805	—
Countries ceded by the Nizam - ditto - ditto - ditto	3,03,281	3,05,319	2,038	—
Salt: Advances and Charges in Ancient Possessions -	80,025	82,936	2,911	—
Military Charges - - - - -	80,71,965	86,10,779	5,38,814	—
Buildings and Fortifications - - - - -	1,53,171	1,97,620	44,449	—
Marine Charges - - - - -	48,077	83,368	35,291	—
TOTAL CHARGES - - - Pagodas	1,31,78,527	1,37,55,559	7,69,656	1,92,624

JAMES C. MELVILL,
Aud^r of India Acc^{ts}.

No. 5.—AN ACCOUNT of the Revenues and Charges of BOMBAY, under
With an ESTIMATE of the

	1826/27.	1827/28.	1828/29.	Per Estimate, 1829/30.
	Rupees.	Rupees.	Rupees.	Rupees.
MINT Duties - - - - -	27,558	48,354	34,684	36,800
Post Office Collections - - - - -	1,13,896	1,11,858	1,10,685	1,12,600
Stamp Duties - - - - -	1,67,614	45,875	57,299	3,52,000
Judicial Fees and Fines - - - - -	(^a) 64,016	63,412	56,095	62,500
Salt: Revenue and Profit derived from the Sale of - - - - -	1,65,188	1,77,190	1,85,820	1,83,900
Farms, and Licenses of exclusive Privilege - - - - -	(^c) 6,29,665	6,39,801	3,81,287	4,43,400
Customs of ancient Possessions - - - - -	(^b) 15,69,205	16,01,146	16,24,993	17,79,400
Land Revenues of - ditto - - - - -	18,92,354	18,22,819	12,39,884	18,80,200
Land Revenues, Customs, Judicial Fees, &c. of Provinces ceded by the Guicowar - - - - -	34,86,873	34,02,639	32,87,673	34,36,800
Land Revenues, Customs, Judicial Fees, &c. of Provinces ceded by and conquered from the Mahrattas - - - - -	1,47,55,612	1,45,21,950	1,34,53,487	1,52,50,400
Marine Receipts for Hire of Docks, Mooring Chains, &c. - - - - -	1,41,201	1,63,405	2,95,223	1,67,900
	2,30,13,182	2,25,98,449	2,07,27,130	2,37,05,900
Deduct, Amount in which it is calculated the several Collectors have over-estimated the Total Receipts, arising chiefly from their having drawn too favourable a view of the resources from Land Revenue, owing to the circum- stances described in the Governor's Minute, dated 12th November 1829, and noticed by the Court in their Review of the Bombay Finances, for the Years 1827/28, and 1828/29 - - - - -	- - -	- - -	- - -	22,00,000
TOTAL REVENUES - - - Rupees	2,30,13,182	2,25,98,449	2,07,27,130	2,15,05,900
Or, at 2s. 3d. the Rupee - - £. St^r	2,588,983	2,542,325	2,331,802	2,419,414

(^a) Judicial Fees, Fines, &c. as above - - -	64,016	63,412	56,095	62,500
Ditto - - ditto - Guicowar - - -	9,677	7,061	8,260	7,100
Ditto - - ditto - Mahrattas - - -	89,737	88,543	48,471	29,700
Total Judicial - - -	1,63,430	1,59,016	1,12,826	99,300
(^b) Customs, as above - - - - -	15,69,205	16,01,146	16,24,993	17,79,400
Ditto - Guicowar - - - - -	3,56,938	3,52,491	3,42,866	3,48,400
Ditto - Mahrattas - - - - -	14,34,910	15,54,551	18,00,631	19,70,700
Total Customs - - -	33,61,053	35,08,188	37,68,490	40,98,500
(^c) Farms and Licenses, as above - - -	6,29,665	6,39,801	3,81,287	4,43,400
Ditto - - ditto - Guicowar - - -	2,07,380	2,37,998	1,56,157	2,25,500
Ditto - - ditto - Mahrattas - - -	13,83,505	13,47,887	13,15,012	14,23,900
Total Farms and Licenses - - -	22,20,550	22,25,686	18,52,456	20,92,800

East India House,
14 May 1831. }

(Errors excepted.)

the respective Heads thereof, for Three Years, according to the latest Advices :
same for the succeeding Year.

	1826/27.	1827/28.	1828/29.	Per Estimate, 1829/30.
	Rupees.	Rupees.	Rupees.	Rupees.
Mint Charges - - - - -	32,881	32,327	32,481	47,560
Post Office Charges - - - - -	1,71,543	1,67,538	1,56,514	1,59,500
Charges of the Civil Establishments - - - - -	45,74,892	42,20,278	48,69,387	45,04,900
Stamp Charges (not stated previously, to 1829/30, the Net Proceeds of the Duties only having theretofore been brought to account) - - - - -	- - -	- - -	- - -	1,83,400
TOTAL CIVIL CHARGES - - -	47,79,316	44,20,143	50,58,382	48,95,360
JUDICIAL CHARGES of the Ancient Possessions:				
Supreme Court of Judicature and Law Charges - - -	5,41,445	5,12,423	5,24,410	4,76,340
Charges of the Sudder and Zillah Courts and Police - - -	(*) 4,27,934	4,05,105	4,13,693	5,07,900
TOTAL JUDICIAL CHARGES - - -	9,69,379	9,17,528	9,38,103	9,84,240
CHARGES collecting Customs Ancient Possessions - - -	(b) 2,51,858	2,27,600	2,16,311	2,00,900
Ditto - - - Revenues - - ditto - - -	7,18,849	6,77,390	6,26,516	6,39,600
Provinces ceded by the Guicowar: Charges collecting the Revenues, Customs, and Judicial Charges - - -	12,92,439	13,08,176	10,88,603	10,40,400
Provinces ceded by and conquered from the Mahrattas: Charges collecting the Revenues, Customs, and Ju- dicial Charges - - - - -	51,83,372	68,99,985	53,58,653	61,62,500
Military Charges - - - - -	1,93,07,807	1,82,38,310	1,64,50,359	1,56,32,700
Buildings and Fortifications - - - - -	13,78,715	12,71,891	11,09,227	11,92,300
Marine Charges - - - - -	14,55,250	18,92,105	16,23,061	17,18,600
TOTAL CHARGES - - - Rupees	3,53,36,985	3,58,53,128	3,24,69,215	3,24,66,600
Or, at 2s. 3d. the Rupee - - £. St ^r	3,975,411	4,033,477	3,652,787	3,652,493
Deduct REVENUES - - - - £. St ^r	2,588,983	2,542,325	2,331,802	2,419,414
NET CHARGE - - - - £. St^r	1,386,428	1,491,152	1,320,985	1,233,079
(*) Judicial Charges, as above - - -	4,27,934	4,05,105	4,13,693	5,07,900
Ditto - ditto - Guicowar - - -	2,91,823	3,78,211	2,75,044	2,17,900
Ditto - ditto - Mahrattas - - -	15,32,395	14,19,349	13,25,119	12,95,600
Total Judicial - - Rupees	22,52,152	22,02,665	20,13,856	20,21,400
(b) Customs, as above - - -	2,51,858	2,27,600	2,16,311	2,00,900
Ditto - Guicowar - - -	20,010	21,180	14,800	13,100
Ditto - Mahrattas - - -	1,70,947	1,37,966	94,208	64,300
Total Customs - - Rupees	4,42,815	3,86,746	3,25,319	2,78,300

JAMES C. MELVILL,
Aud^r of India Acco^{ts}.

No. 6.—A COMPARISON of the Estimated and Actual

	Estimated Amount in 1828/29.	Actual Amount in 1828/29.	Surplus in the Actual Receipts.	Deficiency in the Actual Receipts.
REVENUES:	Rupees.	Rupees.	Rupees.	Rupees.
MINT Duties - - - - -	39,500	34,684	- - -	4,816
Post Office Collections - - - - -	1,12,300	1,10,685	- - -	1,615
Stamp Duties - . - - - - -	1,05,000	57,299	- - -	47,701
Judicial Fees and Fines - - - - -	59,500	56,095	- - -	3,405
Revenue and Profit derived from Salt - - - - -	1,92,800	1,85,820	- - -	6,980
Farms and Licenses of exclusive Privilege - - - - -	4,42,700	3,81,287	- - -	61,413
Customs of Ancient Possessions - - - - -	18,31,850	16,24,993	- - -	2,06,857
Land Revenues of - ditto - - - - -	19,00,700	12,39,884	- - -	6,60,816
Land Revenues, Customs, Judicial Fees, &c. of Pro- vinces ceded by the Guicowar - - - - -	34,00,726	32,87,673	- - -	1,13,053
Land Revenues, Customs, Judicial Fees, &c. of Pro- vinces ceded by, and conquered from the Mahrattas - }	1,56,57,610	1,34,53,487	- - -	22,04,123
Marine: Receipts for Hire of Docks and Mooring Chains	1,38,300	2,95,223	1,56,923	—
TOTAL REVENUES - - - Rupees	2,38,80,986	2,07,27,130	1,56,923	33,10,779
Or, at 2 s. 3 d. the Rupee - - - £. Sts	2,686,611	2,331,802	17,654	372,463
				Deficiency in } Actual Receipts } £. 354,809
				Deficiency in } Actual Charges } £. 86,807
				Deficiency in } Actual Net } Receipts - } £. 268,002

East India House, }
14 May 1831. }

(Errors excepted.)

Revenues and Charges of BOMBAY, for the Year 1828/29.

	Estimated Amount in 1828/29.	Actual Amount in 1828/29.	Surplus in Actual Charges. 1828/29.	Deficiency in Actual Charges, 1828/29.
CHARGES:	Rupees.	Rupees.	Rupees.	Rupees.
Mint Charges - - - - -	32,220	32,481	261	—
Post Office Charges - - - - -	1,59,400	1,56,514	- - -	2,886
Charges of the Civil Establishments - - - - -	51,72,466	48,69,387	- - -	3,03,079
TOTAL CIVIL CHARGES - - - - -	53,64,086	50,58,382	261	3,05,965
JUDICIAL CHARGES of Ancient Possessions:				
Supreme Court and Law Charges - - - - -	5,05,816	5,24,410	18,594	—
Charges of the Sudder Adawlut and Zillah Courts, and Police - - - - -	4,09,100	4,13,693	4,593	—
TOTAL JUDICIAL CHARGES - - - - -	9,14,916	9,38,103	23,187	—
CHARGES collecting Customs Ancient Possessions -	2,40,043	2,16,311	- - -	23,732
Ditto - Revenues - ditto - - - - -	7,00,293	6,26,516	- - -	73,777
Provinces ceded by the Guicowar: Charges collecting the Revenues and Customs, and Judicial Charges - }	11,31,133	10,88,603	- - -	42,530
Provinces ceded by, and conquered from the Marhattas: Charges collecting the Revenues and Customs, and Judicial Charges - - - - - }	58,28,941	53,58,653	- - -	4,70,288
Military Charges - - - - -	1,64,27,702	1,64,50,359	22,657	—
Buildings and Fortifications - - - - -	8,40,600	11,09,227	2,59,627	—
Marine Charges - - - - -	17,84,120	16,23,061	- - -	1,61,059
TOTAL CHARGES - - - - Rupees	3,32,40,834	3,24,69,215	3,05,732	10,77,351
Or, at 2 s. 3 d. the Rupee - - £. Sts	3,739,594	3,652,787	34,395	121,202
Deduct REVENUES - - - - £. Sts	2,686,611	2,331,802	Deficiency in Actual Charges }	£. 86,807
NET CHARGE - - - - £. Sts	1,052,983	1,320,985		

JAMES C. MELVILL,
Aud^r India Acco^{ts}.

—No. 7.—

AN ACCOUNT of the Revenues and Charges of PRINCE OF WALES ISLAND, SINGAPORE, MALACCA, and SAINT HELENA, for Three Years, according to the latest Advices: With an ESTIMATE of the same for the succeeding Year.

	1826/27.	1827/28.	1828/29.	Per Estimate, 1829/30.
PRINCE OF WALES ISLAND:	Curr ^t Rupees.	Curr ^t Rupees.	Curr ^t Rupees.	Curr ^t Rupees.
CIVIL Charges - - - - -	9,08,379	9,82,056	8,39,399	7,70,491
Military Charges - - - - -	2,05,060	1,86,666	1,19,217	1,77,348
Buildings and Fortifications - - - - -	32,013	47,842	79,219	52,200
TOTAL CHARGES - - - - -	11,45,452	12,16,564	10,37,835	10,00,039
Deduct, Land Revenues and Customs - - -	3,73,904	2,16,379	1,99,488	2,46,154
NET CHARGES - - - - -	7,71,548	10,00,185	8,38,347	7,53,885
Expense of Detachments, not included above -	2,52,728	3,04,120	2,85,817	2,62,131
Curr^t Rupees	10,24,276	13,04,305	11,24,164	10,16,016
Or, at 2s. the Curr ^t Rupee - £. St ^r	102,428	130,430	112,416	101,602
SINGAPORE:	From 1 Aug. 1826 to 30 April 1827.			
Civil Charges - - - - -	2,01,074	4,71,373	3,22,667	2,81,959
Military Charges - - - - -	7,330	33,134	29,546	24,014
Buildings and Fortifications - - - - -	12,681	46,057	81,328	57,420
TOTAL CHARGES - - - - -	2,21,085	5,50,564	4,43,541	3,63,393
Deduct, Land Revenues and Customs - - -	1,42,148	1,85,596	2,29,099	1,26,680
NET CHARGES - - - - -	78,937	3,64,968	2,14,442	2,36,713
Expense of Detachments, not included above -	90,638	80,285	1,09,549	1,11,360
Curr^t Rupees	1,69,575	4,45,253	3,23,991	3,48,073
Or, at 2s. the Curr ^t Rupee - £. St ^r	16,958	44,525	32,399	34,807
MALACCA:	From 1 Aug. 1826 to 30 April 1827.			
Civil Charges - - - - -	1,02,238	1,63,248	2,09,701	2,21,422
Military Charges - - - - -	18,192	22,988	26,411	17,160
Buildings and Fortifications - - - - -	5,216	11,859	58,391	23,517
TOTAL CHARGES - - - - -	1,25,646	1,98,095	2,94,503	2,62,099
Deduct, Land Revenues and Customs - - -	41,386	48,813	51,217	66,194
NET CHARGES - - - - -	84,260	1,49,282	2,43,286	1,95,905
Expense of Detachments, not included above -	28,929	57,314	57,371	61,480
Curr^t Rupees	1,13,189	2,06,596	3,00,657	2,57,385
Or, at 2s. the Curr ^t Rupee - £. St ^r	11,319	20,660	30,066	25,739
Combined Result of the Net Charge at the above Settlements (exclusive of the Expense of De- tachments) - - - - -	£. 93,475	151,443	129,608	118,650
SAINT HELENA:	£.	£.	£.	£.
Civil Charges - - - - -	27,172	46,808	44,507	33,288
Military Charges - - - - -	87,297	75,172	69,072	60,359
Buildings and Fortifications - - - - -	3,974	1,989	2,058	957
TOTAL CHARGES - - - - -	118,443	123,969	115,637	94,604
Deduct, REVENUES arising from Rents, Licenses, Tonnage Duty	3,943	3,398	2,583	1,600
NET CHARGES - - - - -	114,500	120,571	113,054	93,004

East India House }
14 May 1831. }

(Errors excepted.)

JAMES C. MELVILL,
Aud^r India Acco^{ts}.

of INDIA, for Three Years, according to the latest Advices :
REVENUE, the AMOUNT paid for INTEREST on DEBTS, and the

(*) NET REVENUE, or NET CHARGE:					(*) The figures in Black Ink show the Net Revenue; the figures in Red Ink, the Net Charge.
Estimate, 1829/30.	1826/27.	1827/28.	1828/29.	Estimate, 1829/30.	
£.	£.	£.	£.	£.	
9,793,348	2,865,553	3,147,357	4,635,253	4,374,080	
5,280,309	549,119	659,759	72,825	143,364	
3,652,493	1,386,428	1,491,152	1,320,985	1,233,079	
162,553	(*) 93,474	(*) 151,443	(b) 129,608	(*) 118,650	(b) Exclusive of the Ex- pense of Detachments (as in N° 7.) the same being charged in the Bengal and Madras Accounts.
18,888,703	1,934,770	845,003	3,257,485	3,165,715	
- - -	1,513,616	1,712,253	1,890,605	1,914,000	
- - -	213,570	179,025	199,272	204,696	
- - -	20,610	27,230	22,597	20,317	
- - -	1,272	2,024	300	104	
- - -	1,749,068	1,920,532	2,112,774	2,139,117	
- - -	185,702	—	1,144,711	1,026,598	
- - -	—	1,075,529	—	—	
- - -	114,500	120,571	113,054	93,004	
1 - - -	* 71,202	—	1,031,657	933,594	* In this Year there is an extraordinary credit of £.620,226. for Profits of the Government Bank at Madras, as explained in N° 3.
- - -	—	1,196,100	—	—	

JAMES C. MELVILL,
Aud^r India Acco^{ts}.

No. 9.—Abstract Statement Receipts and Disbursements	-	BENGAL Government	- - - - -	pp. 22—35
No. 10.	- - - -	Ditto	- - - - -	MADRAS Government - - - - - pp. 36—41
No. 11.	- - - -	Ditto	- - - - -	BOMBAY Government - - - - - pp. 42—47
No. 12.	- - - -	Ditto	- - - - -	PRINCE OF WALES ISLAND - pp. 48—55

No. 13.—Balance of QUICK STOCK, &c. at the end of 1828/29	- - - - -	pp. 56 & 57
No. 14.—Amount of BOND and other DEBTS	- - - - -	pp. 58—60

D' - - - - No. 9.—Abstract STATEMENT of the Receipts and Disbursements of

TO BALANCE :—Amount remaining in the following Departments, on 30th April 1828:						Sicca Rupees.
CIVIL DEPARTMENT:						
General	-	-	-	-	1,13,41,150	
Judicial	-	-	-	-	7,24,573	
Revenue	-	-	-	1,81,87,387		
Customs	-	-	-	2,09,322		
Salt and Opium	-	-	-	9,22,704		
					1,93,19,413	
Marine	-	-	-	-	4,586	
						3,13,89,722
MILITARY DEPARTMENT						
	-	-	-	-	-	11,33,407
						3,25,23,129
ORDINARY RECEIPTS:						
CIVIL DEPARTMENT:						
General :						
Sale of Presents	-	-	-	-	83,918	
Commission on Law Suits, and Fees and Fines at Delhi	-	-	-	-	42,910	
Collections on account Neemar Mundlaiser	-	-	-	-	68,477	
Mints, Duty, &c. received at the Presidency	-	-	-	70,910		
Ditto	-	-	-	at Benares	30,944	
Ditto	-	-	-	at Saugore	11,568	
					1,13,422	
Post Office Collections	-	-	-	-	7,87,082	
House Tax in Calcutta	-	-	-	-	2,58,847	
Stamp Duties at Calcutta, and in the Lower and Western Provinces	-	-	-	-	26,32,317	
Miscellaneous Receipts	-	-	-	-	73,643	
						40,60,616
Judicial :						
Licenses and Duty on Sale of Liquors	-	-	-	-	2,42,556	
Duty on Spirits manufactured at Distilleries	-	-	-	-	22,280	
Fees, Fines, &c. of the Justices	-	-	-	-	20,399	
Ditto - ditto - in the Provincial Courts, and Charges refunded	-	-	-	-	3,39,594	
Police : Rent of resumed Thanadaree Lands	-	-	-	-	69,231	
Court of Requests : Commission and Fees	-	-	-	-	73,011	
						7,67,071
Revenue :						
Lower Provinces :						
Land Revenues on account the current year	-	-	-	2,66,05,715		
Surplus not in Jumma	-	-	-	4,37,411		
Balances of former years	-	-	-	29,49,358		
Syer and Abkaree	-	-	-	25,34,033		
Interest on Arrears of Revenue	-	-	3,52,213			
Penalties levied on Landholders	-	-	3,17,962			
Other Miscellaneous Receipts	-	-	1,90,524			
				8,60,699		
					3,33,87,216	
WESTERN PROVINCES, including BENARES:						
Land Revenues on account the current year	-	-	-	3,29,78,500		
Surplus not in Jumma	-	-	-	6,71,847		
Balances of former years	-	-	-	16,41,969		
Syer and Abkaree	-	-	-	17,05,222		
Interest on Arrears of Revenue	-	-	52,876			
Penalties levied on Landholders	-	-	50,911			
Other Miscellaneous Receipts	-	-	1,77,641			
				2,81,428		
					3,72,78,966	
Carried forward						
					7,06,66,182	
						48,27,687
						3,25,23,129

the BENGAL Government, from 1st May 1828 to 30th April 1829 - - - - = C'

By ORDINARY DISBURSEMENTS:

CIVIL DEPARTMENT:

General:

Durbar Charges, including Pensions	- - -	4,60,509
Governor General's Office, Salaries, &c.	- - -	1,82,025
Charge on account late Visit to Upper Provinces	- - -	23,523

6,66,057

Residents at Native Courts, Salaries, &c.	- - -	8,64,776
Agents of the Governor General - ditto	- - -	6,49,648
Temporary Agencies	- - -	1,05,048
Mission to Persia	- - -	2,35,143

18,54,615

Allowance to State Prisoners	- - -	12,849
Gumber Sing's Levy	- - -	6,669
Salaries of the Governor General and Members of Council	- - -	5,06,479
Public Offices under the Supreme Board	- - -	10,11,107
Public Establishments at the Presidency, including House Tax	- - -	15,04,438
Repairs of Roads, Bridges and Public Buildings	- - -	2,50,500
College at Fort William	- - -	1,35,471
Political Stores received from London, and issued	- - -	3,24,082
Contribution to Public Institutions, including Civil Service Fund	- - -	6,41,442
Committee of Public Instruction	- - -	1,69,096
Petty Establishments and Contingencies	- - -	2,87,523
Pensions, including Missionary Hospital at Ava	- - -	93,949

Mint Charges at Presidency	- - -	1,83,900
Ditto - at Benares	- - -	58,698
Ditto - at Saugore	- - -	31,257

2,73,855

Post Office Charges	- - -	7,06,708
Stamp Charges in Lower and Western Provinces	- - -	5,32,700
Nizamut Stipends and Allowances	- - -	18,02,550

Provincial Battalions in Lower and Western Provinces	14,53,097
Calcutta Native Militia	1,50,972
Agra and Delhi Nujeebs, including Pensions to Invalids	1,33,292
Delhi and Kumaown Police Charges	2,04,422
Mundlaiser Local Battalion	73,339
Corps raised for Western Malwa	3,33,209
Bheel Corps	51,158

23,99,489

Judicial:

Lower Provinces:

Supreme Court of Judicature and Law Charges	- - -	4,65,987
Justices of the Peace, Coroner, &c.	- - -	2,41,812
Court of Requests	- - -	98,298
Sudder Dewanny and Nizamut Adawluts	- - -	4,98,214
Provincial Courts of Appeal	- - -	7,75,689
City and Zillah Adawluts	- - -	23,49,432
Diet of Prisoners	- - -	2,37,855
Salaries of Translators, Repairs, &c.	- - -	89,010
Provincial Police	- - -	7,87,606
Pensions to Hill Chiefs	- - -	41,344

55,85,247

WESTERN PROVINCES:

Provincial Courts of Appeal	- - -	4,36,608
City and Zillah Adawluts	- - -	17,37,399
Diet of Prisoners	- - -	2,16,664
Provincial Police, including Pensions	- - -	10,04,361
Repairs of Buildings	- - -	6,484

35,01,516

Carried forward - - -

90,86,763

2,22,67,342

Sicca Rupees,

D' - - - - - No. 9.—Abstract STATEMENT of the Receipts and

ORDINARY RECEIPTS—continued - - and - - Brought forward - - - -				Sicca Rupers.
GENERAL and JUDICIAL - - - Brought forward - - - -				3,25,23,129
REVENUE—continued - - and - - Brought forward - - -				48,27,687
CEDED TERRITORY:				
Revenues current year - - - - -	20,95,131			
Surplus not in Jumma - - - - -	94,992			
Balances of former years - - - - -	3,03,931			
Syer and Abkaree - - - - -	1,06,527			
Miscellaneous Receipts - - - - -	53,737			
	26,54,318			
Bhopaul: Land and Sayer Revenue - - -	1,23,956			
Net Amount of Tributes from Joypore, &c. -	10,58,778			
Nizam, per Treaty 12th December 1822, } for 1827/28 - - - - -	1,00,386			
	12,83,120			
Burmese Cessions:			39,37,438	
Land Revenue - - - - -	7,63,153			
Syer and Abkaree - - - - -	1,47,962			
Gain by Batta and Miscellaneous Receipts -	1,00,319			
			10,11,434	
Customs:				
Lower Provinces:				
Duty on Imports and Exports - - - - -	23,67,359			
Town Duties, Transit Duty, &c. - - - - -	4,30,516			
Duty on the Company's Investment - - - - -	2,63,220			
	30,61,095			
Western Provinces:				
Duty on Imports and Exports - - - - -	29,37,284			
Town Duties, Goods in Transit, &c. - - -	7,89,963			
Duties levied under Regulation 10 of 1810 -	46,583			
	37,73,830			
Miscellaneous Receipts in Lower and Western } Provinces - - - - -	77,132			
Ceded Territory:				
Duty on Imports and Exports - - - - -	1,31,499			
Transit Duty, &c. - - - - -	1,60,505			
	2,92,004			
Salt:			72,04,061	
Receipts from the Sale of - - - - -	1,93,56,798			
Calary and Golah Rents - - - - -	1,62,737			
Other Miscellaneous Receipts - - - - -	91,022			
	2,53,759			
Opium:			1,96,10,557	
Receipts from Sales of Behar and Benares -	1,11,80,650			
Ditto - ditto - Malwa - - - - -	54,50,769			
	1,66,31,419			
Miscellaneous Receipts - - - - -	14,192			
	1,66,45,611			
Advances on account of Malwa Opium in 1823/24, } written back, the agency being at the period the ad- } vances were made under Bombay per contra -	14,87,878			
			1,81,33,489	
Marine:			12,05,63,161	
Collections from Inward and Outward Pilotage -	1,52,485			
Hire of Moorings, and Collections for use of Row Boats -	99,337			
Light House and other Duties - - - - -	21,765			
Pension Funds - - - - -	21,772			
Hire of Steam Vessels, and Miscellaneous Receipts -	21,249			
			3,16,608	
Military:				
Stores supplied to the other Presidencies - - - - -			19,36,842	
				12,76,44,298
Carried forward - - -				16,01,67,427

Disbursements of the BENGAL Government—continued. - - - - - C'

ORDINARY DISBURSEMENTS—continued.		Sicca Rupees.	
GENERAL and JUDICIAL DEPARTMENTS—cont ^d - and Brought forward -		2,22,67,342	
Revenue :			
Lower Provinces :			
Revenue Board, Lower Provinces } Salaries and Establishment	4,07,268		
Special Commissioners, Salaries, &c. - - -	22,742		
Revenue Board, Central Provinces, Salaries, &c. -	1,98,868		
Charges collecting the Land Revenue } and Syer - - - - -	15,61,856		
Poolbundee Charges - - - - -	1,92,429		
	17,54,285		
Revenue refunded, Law Charges, &c. - - -	1,71,555		
Expense incurred by Superintendent of Nuddea } Rivers and Surveys - - - - -	60,727		
Pensions and Allowances chargeable on Revenues -	5,21,525		
	31,36,970		
WESTERN PROVINCES :			
Revenue Board, Salaries and Establishment - -	2,72,977		
Charges collecting the Land Revenue, Syer, &c. -	32,29,965		
Delhi Commissioner - - - - -	34,760		
Revenue Survey - - - - -	1,42,818		
Revenue refunded, Law Charges, &c. - - -	1,86,533		
Pensions and Allowances chargeable on Revenues -	42,38,413		
	81,95,466		
Ceded Territory :			
Charges collecting the Land Revenue and Syer -	3,51,780		
Jail and Police Charges - - - - -	1,06,971		
Bhopaul Charges - - - - -	27,000		
Miscellaneous Charges, including Pensions -	1,92,204		
	6,77,955		
Burmese Cessions :			
Revenue Charges, including Pensions - - -	2,64,780		
Judicial and Police Charges - - - - -	1,01,990		
Charges on account Flotilla - - - - -	85,688		
	4,52,458		
Customs :			
Lower Provinces: Salaries, Commission & Establishment	5,39,011		
Western Provinces - ditto - ditto - ditto -	4,79,669		
Ceded Territory: Establishment, &c. - - -	19,784		
Miscellaneous Charges in Lower and Western Provinces	45,885		
	10,84,349		
Opium :			
Advances on account Behar and Benares 21,38,323			
Ditto - ditto - Malwa - - - - -	20,24,339		
	41,62,662		
Agencies in Behar and Benares, Salaries, Commission, &c.	4,72,898		
Opium Office at Presidency, and Miscellaneous Charges	64,226		
Malwa: Salary and Establishment of Agent 1,22,303			
- Compensation for loss of Duties - 1,87,838			
- Paid to States their share of Profits 7,56,392			
- Charges at Bombay - - - - -	83,285		
	11,49,818		
	58,49,604		
Salt :			
Advances to the Manufacturers - - - - -	41,04,237		
Convention with French and Danish Governments -	4,15,000		
Establishments at the Presidency, Agencies, &c. -	19,56,300		
Commission to Salt Agents - - - - -	4,24,968		
Premium to Salt Merchants - - - - -	6,85,649		
Miscellaneous Charges - - - - -	34,997		
	76,21,151		
	2,69,27,953		
Marine :			
Marine Board, Master Attendant and Paymaster, Salaries, &c. -	2,55,244		
Establishment at Diamond Harbour, Moorings at Calcutta, &c. -	82,972		
Expense of Pilot Schooners and Buoys, including Boats -	4,13,275		
Master Attendant at Cuttack, Balasore and Manikapatam -	11,004		
Charge on account Survey - - - - -	48,350		
Expense of Steam Vessels - - - - -	84,422		
Pensions and Charges of Establishment for collecting the same -	72,708		
Miscellaneous Charges - - - - -	53,190		
	10,21,165		
Stores from London issued to Marine Department - - -	1,51,916		
	11,73,081		
Carried forward - - -	- - -		
		5,03,68,376	

D' - - - - - No. 9.—Abstract STATEMENT of the Receipts and

		Sicca Rupees.
ORDINARY RECEIPTS - - - Brought forward - - -		16,01,67,427
EXTRAORDINARY RECEIPTS.		
CIVIL DEPARTMENT:		
General:		
Loans at 5 per cent. - - - - -	89,29,200	
Ditto, at 4 per cent. - - - - -	9,67,000	
Treasury Notes at various rates of Interest - - -	36,43,780	
	1,35,39,980	
Bills outstanding on 30th April 1829 - - - - -	96,76,148	
Loan at 5 per cent. from King of Oude - - - - -	59,70,900	
Ditto at 4 per cent. from a Native - - - - -	16,267	
	2,92,03,295	
Miscellaneous:		
Deccan Prize Fund - - - - -	20,62,459	
Bhurlpore State, received on account War Charges - -	7,74,291	
Received from the Ava Government under Treaty - -	14,99,111	
Tributes from Kotah, &c. for Payment of Troops with } Scindiah - - - - -	7,66,156	
Balance due on account Scindiah's Horse - - - - -	13,89,827	
Civil Service Annuity Fund - - - - -	10,18,211	
Civil and Military Funds - - - - -	1,18,797	
Deductions from Civil Servants on account Absence - -	1,08,452	
Committee for improving Calcutta - - - - -	1,17,660	
Interest on Bank Shares and Lottery Committee - -	1,40,190	
Deposits, including Nizamut Deposit Fund - - - - -	2,02,283	
Interest on Securities deposited on account Nizamut } Stipend Establishments - - - - -	37,961	
Loans to Writers and others received back - - - - -	1,15,987	
Advances on account Buildings repaid - - - - -	13,348	
Interest at 5 per cent. to 30th November 1828 on } Bhurlpore Prize - - - - -	5,89,852	
Sale of Stores and Miscellaneous Receipts - - - - -	65,308	
	90,19,893	
	3,82,23,188	
Account Current, London:		
Bills on Court for Interest on Debt - - - - -	51,86,689	
Ditto - - for Principal of Loans - - - - -	6,65,512	
Ditto - - on account Treasury Notes at 8 and 5 per cent. -	1,59,200	
Ditto - - on account Family Remittances, Deceased Officers, } &c. - - - - -	2,00,886	
Advances in England to Managers of Military Funds - -	2,62,079	
Annuities due to Civil Servants retired from the Service -	1,24,583	
Stamp Duty on Bhurlpore Property ordered to be deducted -	2,20,944	
Sundry Sums received back - - - - -	2,916	
	68,22,809	
Political Stores received from England - - - - -	34,43,072	
	1,02,65,881	
Carried forward - - - - -	4,84,89,069	16,01,67,427

Disbursements of the BENGAL Government—continued.

C

ORDINARY DISBURSEMENTS—continued.		Sioca Rupees.	
CIVIL DEPARTMENT	Brought forward	- - -	5,03,68,276
MILITARY DEPARTMENT:			
Charges on account His Majesty's Troops, including Passage Money, &c.	- - -	44,28,643	
Ditto - ditto - Company's Cavalry, Infantry, Engineers, &c.	2,04,64,063		
Local Infantry Battalions	6,80,493		
Ordnance Department and Corps of Sappers and Miners	8,11,858		
Escorts and Garrisons	2,93,094		
Board of Superintendence and Charges connected with Cattle	18,93,855		
Garrison and Cantonment Staff	17,66,066		
Military Offices, Establishment, &c.	6,42,896		
Victualling and Commissariat Charges	19,94,215		
Hospital and Dispensary Charges	11,47,387		
Hire of Boats, Passage of Officers, &c.	23,43,258		
Orphan Society and Miscellaneous Charges	1,30,206		
Pensions to Invalids	24,47,869		
Gunpowder and Lime Agencies	2,29,987		
Timber Agencies	7,22,882		
Off-reckonings, including Balances paid	5,28,875		
Stores received from other Presidencies	12,540		
Europe Stores issued to different Departments	29,23,024		
War Charges	7,00,478		
	3,97,32,986		
Deduct,		4,41,61,629	
Advances received back	18,24,187		
Charges refunded and sale of Stores	4,75,948		
Adjustment of Charges accounted for in 1827/28	22,85,666		
	45,85,801		
EXTRAORDINARY DISBURSEMENTS.			3,05,75,328
CIVIL DEPARTMENT:			8,99,44,204
General:			
Interest on Debt: paid in Cash	85,37,567		
Ditto - - - by Bills on the Court	77,60,751		
	1,62,98,318		
Loans paid off	7,30,616		
Treasury Notes paid off	26,74,000		
	44,04,616		
Loans from Individuals, ditto	1,15,87,032		
Bills outstanding on 30th April 1828	1,09,57,089		
Civil Service Annuity Fund and other Funds	2,47,785		
Loans to Town Committee, Writers, &c.	81,630		
Bhurlpore Prize Booty	41,05,753		
Ditto - English Stamp Duty	2,20,944		
	43,26,697		
Deccan Prize Fund	5,09,160		
Batta to Officers employed in the Burmese War	33,668		
Improvement of Cities, Towns, &c.	2,08,312		
Scindiah's Auxiliary Horse	7,01,058		
Miscellaneous Charges	31,272		
	61,39,582		
Nizamut Stipend Establishment and Deposit Fund	5,22,040		
Buildings, and Purchase of Dead Stock in Lower and Western Provinces	8,44,299		
	5,07,52,976		
Account Current, London:			
Bills on account His Majesty's Government transmitted	3,82,173		
Amount unpaid in England on account Deccan Prize Money	20,50,328		
Lord Clive's Fund and Miscellaneous Charges	52,520		
	24,85,021		
Carried forward	5,32,37,997		8,99,44,204

D' - - - - - No. 9.—Abstract STATEMENT of the Receipts and

		Sicca Rupees.
ORDINARY RECEIPTS - - -	Brought forward - -	16,01,67,427
EXTRAORDINARY RECEIPTS—continued - and -	Brought forward -	4,84,89,069
CIVIL DEPARTMENT—continued.		
HIS MAJESTY'S GOVERNMENT:		
Bills on England for Advances made at the Presidencies - -	3,82,173	
Ceylon: Pensions of Netherlands Government, &c. - - -	4,162	3,86,335
St. Helena: Bullion per Honourable Company's Ship "General Harris," &c. - - - - - }	- - -	2,46,564
SUPPLIES from other PRESIDENCIES:		
Fort St. George:		
Bills drawn on Madras by Sub-Treasurer - - -	14,964	
Advances on account His Majesty's Government - -	40,000	
Paid to French Government on account Salt and } Opium Convention - - - - - }	4,00,000	
Interest paid on Bengal Loans - - - -	30,19,162	
Loan at 4 per cent. discharged - - - -	3,000	
Advances to the Postmasters at Hyderabad and Aurungabad	12,759	
Sundry Advances on account of Bengal - - -	49,900	
Bills drawn by Residents at Native Courts - -	2,61,767	
Payments on account Deccan Prize Fund - -	2,94,163	
Sundry Advances on account Territory ceded by the } Burmese - - - - - }	1,11,344	
Value of Stores received into Arsenal and supplied } the Rajah of Berar - - - - - }	19,054	
Miscellaneous - - - - -	2,142	
	42,28,255	
Bombay:		
Bills drawn on Bombay by Sub-Treasurer - - -	7,613	
Advances on account His Majesty's Government - -	3,59,743	
Interest paid on Bengal Loans - - - -	13,66,878	
Sundry Payments on account Bengal - - -	88,836	
Timbers for use of Mint and sale of Stores - -	13,297	
Payments on account Deccan Prize Booty - -	1,43,207	
Charges on Malwa Opium - - - -	83,285	
Bills drawn by Agents and Residents at Native Courts,	2,74,730	
Law Charges incurred - - - - -	38,943	
	23,76,531	
Carried forward - - -	66,04,786	4,91,11,968
		16,01,67,427

Disbursements of the BENGAL Government—continued. - - - - - C'

ORDINARY DISBURSEMENTS		Brought forward	Sicca Rupees.
		- - -	8,99,44,204
EXTRAORDINARY DISBURSEMENTS—continued.			
CIVIL DEPARTMENT—continued - and - Brought forward		5,32,37,997	
HIS MAJESTY'S GOVERNMENT:			
Advances at Madras and Bombay to His Majesty's			
Navy	3,80,195		
Pay, &c. to King's Troops and Chelsea Pensioners	30,412		
	4,10,607		
Ceylon: Payments on account that Government	10,830		
	4,21,437		
St. Helena: Supplies from the Commercial Department	-	94,086	
		5,37,53,520	
SUPPLIES to other PRESIDENCIES:			
Fort St. George:			
Bills drawn by that Government	12,63,785		
Ditto by the Resident at Hyderabad	10,59,723		
	23,23,508		
Expenses on account Mysore Princes	-	3,76,780	
Drafts for Interest on Promissory Notes	-	1,21,884	
Salaries of Carnatic Commissioners	-	46,283	
Received at Hyderabad on account Mahratta Choute	-	1,00,386	
Advances, &c. to Madras Officers	-	90,067	
Subscriptions to Loans at 5 and 4 per cent.	-	19,33,200	
Military and other Stores	-	12,35,831	
Advance to Paymaster of Nagpore Subsidiary Force	-	12,42,931	
Advances made at Mergiu, Tavoy and Amherst	-	3,73,086	
Pay and Pensions of Sepoys, &c.	-	33,375	
		78,77,331	
Bombay:			
Bills drawn by that Government	17,646		
Ditto - by the Resident at Bussorah	30,000		
	47,646		
Drafts for Interest on Promissory Notes	-	53,221	
Paid Messrs. Alexander & Co. for Bills to be drawn	-	1,41,509	
by them	-	-	
Advances to Bombay Officers	-	83,290	
Subscriptions to Loans	-	13,15,500	
Sale of Malwa Opium at Bombay	-	54,44,835	
Payments in the Marine Department	-	1,02,322	
Stipend of Chimnaje Appa, &c.	-	2,90,822	
Advances to Bajee Rao and Followers	-	7,81,722	
Salaries and other Payments at Bithoor	-	29,029	
Cost of Steam Vessel "Enterprize"	-	3,44,828	
Adjustment of Advances to Opium Agent at Malwa in	-	14,87,878	
1823/24	-	-	
Military and other Stores	-	7,42,822	
Pay and Pensions of Sepoys, &c.	-	30,678	
		1,08,96,102	
Prince of Wales Island:			
Bills drawn by that Government	6,09,287		
Ditto - by Resident at Malacca	49,122		
Ditto - by ditto - at Singapore	3,52,338		
	10,10,747		
Treasure consigned to Penang, including Charges	-	3,00,087	
Subscriptions to 5 per cent. Loan	-	1,02,700	
Commissariat Stores supplied	-	40,911	
Miscellaneous Payments	-	9,170	
		14,63,615	
Carried forward	- - -	2,02,37,048	5,37,53,520
			8,99,44,204

D' - - - - - No. 9.—Abstract STATEMENT of the Receipts and

		Sicca Rupees.	
ORDINARY RECEIPTS - - - Brought forward - - -		16,01,67,427	
EXTRAORDINARY RECEIPTS—continued - and - Brought forward - - -		4,91,11,968	
SUPPLIES from other PRESIDENCIES—continued, and Bro' for ^d		66,04,786	
<i>Prince of Wales Island :</i>			
Interest paid on Bengal Loans - - - - -	18,511		
Military Stores received into the Arsenal - - -	6,535		
Marine Stores credited by Commissariat at Tenasserim, - - -	14,640		
	39,686	66,44,472	
SUPPLIES from the COMMERCIAL BRANCH:			
Sales of Imports and Exports - - - - -	7,43,586		
Stores issued to the Military Department - - -	12,132		
Ditto - ditto to the Presidencies and St. Helena - - -	94,950		
Tea from Canton - - - - -	10,132		
Miscellaneous - - - - -	10,417	8,71,217	
Profit and Loss :			
Gain on Remittances and Premium on Bills, &c. - - -	1,78,559		
Ditto on Copper Coinage - - - - -	1,11,280		
Ditto on Sale of Contraband Opium - - - - -	12,148		
	3,01,987		
Deduct,			
Loss on the Recoinage of Rupees - - - - -	9,976	2,92,011	
Judicial :			
Lower Provinces :			
Deposits - - - - -	43,33,367		
Fauzil Remittances - - - - -	2,98,931		
Sale of Buildings at Sylhet, &c. - - - - -	10,500	46,42,798	
WESTERN PROVINCES :			
Deposits - - - - -	14,18,317		
Fauzil Remittances - - - - -	85,941	15,04,258	
Revenue:			
Lower Provinces :			
Deposits - - - - -	35,51,563		
Tuckavee, &c. - - - - -	795	35,52,358	
WESTERN PROVINCES :			
Tuckavee - - - - -	3,79,491		
Deposits - - - - -	39,57,982	43,37,473	
Carried forward - - -		78,89,831	6,30,76,724
			16,01,67,427

Disbursements of the BENGAL Government—continued. - - - - - C'

ORDINARY DISBURSEMENTS - - - Brought forward - - -		Sicca Rupees. 8,99,44,204
EXTRAORDINARY DISBURSEMENTS—continued.	Brought forward	5,37,53,520
SUPPLIES to other PRESIDENCIES—continued.	Brought forward	2,02,37,048
Fort Marlbro': Pensions - - - - -	102	
Java: Miscellaneous Payments - - - - -	2,971	
Molucca Islands: Ditto - - - - -	2,243	
		2,02,42,364
SUPPLIES to the COMMERCIAL BRANCH:		
Advances for the Investment from the General and Revenue Departments - - - - -	2,24,29,305	
Salaries of the Members of the Board of Trade - - - - -	3,11,605	
Duty on the Company's Investment - - - - -	2,63,220	
Supplies from Military and Marine Departments - - - - -	2,21,790	
Sale of Presents and other Charges - - - - -	33,383	
		2,32,59,303
Judicial:		9,72,55,187
Lower Provinces:		
Deposits - - - - -	42,95,653	
Fauzil Remittances - - - - -	3,05,201	
Buildings, and Purchase of Dead Stock - - - - -	1,28,666	
	47,29,520	
WESTERN PROVINCES:		
Deposits - - - - -	15,29,626	
Fauzil Remittances - - - - -	97,756	
Buildings and Purchase of Dead Stock - - - - -	41,774	
	16,69,156	
Revenue:		63,98,676
Lower Provinces:		
Deposits, &c. - - - - -	34,72,095	
Buildings, and Purchase of Dead Stock, &c. - - - - -	5,16,705	
	39,88,800	
WESTERN PROVINCES:		
Tuckavee - - - - -	4,44,340	
Deposits - - - - -	47,80,411	
Buildings, and Purchase of Dead Stock, &c. - - - - -	8,265	
	52,33,016	
Ceded Territory:		
Tuckavee - - - - -	7,623	
Deposits - - - - -	35,350	
	42,973	
		92,64,789
Carried forward - - -	- - -	11,29,18,652
		8,99,44,204

D' - - - - - No. 9.—Abstract STATEMENT of the Receipts and

			Sicca Rupees.
ORDINARY RECEIPTS - - - Brought forward - - -			16,01,67,427
EXTRAORDINARY RECEIPTS— <i>continued</i> - and - Brought forward -			6,30,76,724
SUPPLIES from the COMMERCIAL BRANCH— <i>cont^d</i> . Br ^t forw ^d	78,89,831		
Ceded Territory :			
Tuckavee - - - - -	17,799		
Deposits - - - - -	47,667		
	65,466	79,55,297	
Customs :			
Deposits in Lower and Western Provinces - - - - -	- - -	1,45,286	
Salt :			
Deposits - - - - -	- - -	89,746	
Opium :			
Deposits - - - - -	- - -	20,384	
Marine :			
Cost of the "Enterprize," Steam Ship, transferred to Bombay - - -	- - -	3,44,828	7,16,32,265
TOTAL TERRITORIAL DEPARTMENT - - - Sicca Rupees - - -			23,17,99,692

Disbursements of the BENGAL Government—*continued.* - - - - - C

ORDINARY DISBURSEMENTS - - - Brought forward - - -				Sicca Rupees.
				8,99,44,204
EXTRAORDINARY DISBURSEMENTS— <i>continued.</i>				
REVENUE DEPARTMENT: Brought forward - - - -				11,29,18,652
Customs :				
Deposits - - - - -			1,27,469	
Buildings and Purchase of Dead Stock - - - - -			4,964	
				1,32,433
Salt :				
Deposits - - - - -			32,580	
Buildings and Purchase of Dead Stock - - - - -			68,890	
				1,01,470
Opium :				
Deposits - - - - -			18,081	
Buildings and Purchase of Dead Stock - - - - -			10,981	
				29,062
Marine :				
Advances to Master Builder - - - - -			1,18,053	
Buildings and Purchase of Dead Stock - - - - -			24,721	
				1,42,774
MILITARY DEPARTMENT:				
Advances in the Lower and Western Provinces for the Construc- } tion and Repair of Buildings and other Works - - - - }			9,71,640	
Ditto - 10 Barrack Masters on account of Current Expenses -			4,26,308	
				13,97,948
Shares of Java and other Prize Money - - - - -			9,943	
				14,07,891
BALANCE:—Amount remaining in the following Departments, on the 30th April 1829:				11,47,32,282
CIVIL DEPARTMENT:				20,46,76,486
General - - - - -			80,24,185	
Judicial - - - - -			7,06,023	
Revenue - - - - -			1,74,00,105	
Marine - - - - -			2,695	
				2,61,33,008
MILITARY DEPARTMENT				9,90,198
				2,71,23,206
TOTAL TERRITORIAL DEPARTMENT - - Sicca Rupees - -				23,17,99,692

D' - - - - - No. 9.—Abstract STATEMENT of the Receipts and

To BALANCE : Amount remaining in this Department, on the 30th April 1828 - - -		Sicca Rupees. 17,89,039
ORDINARY RECEIPTS:		
Supplies from the Territorial Revenue - - - - -	1,58,35,067	
Bills drawn by the Supra-Cargoes at Canton in 1828/29 - - -	69,16,999	
Customs at the Export Warehouse, deducting Drawback - - -	2,63,220	
Net Proceeds of Presents and other Receipts - - - - -	27,767	
Military Advances, including Cost and Charges of Saltpetre - - -	1,18,517	
Marine Paymaster and Naval Storekeeper for Supplies - - -	1,04,617	
Postage and other Receipts - - - - -	5,852	2,32,72,039
Sale of Imports : Received on this account - - - - -	- - -	2,88,094
		2,35,60,133
EXTRAORDINARY RECEIPTS:		
Investment : Sale of Export Goods - - - - -	3,01,093	
----- Balances of former Years - - - - -	26,374	3,27,467
Repayment of Charges on Investment and other Receipts - - -	- - -	32,126
Bills payable : Commission, &c. - - - - -	- - -	4,60,305
Profit and Loss - - - - -	- - -	6,637
Received for Shipment of Private Baggage, &c. - - - - -	- - -	1,208
Commercial Charges General : Surplus Commission - - - - -	1,97,062	
----- Deductions from Salaries and Allowances - - - - -	8,919	2,05,981
Advances for Commercial Buildings - - - - -	- - -	12,854
Suspense Charges on Indian Goods - - - - -	- - -	3,69,382
Deposits - - - - -	- - -	14,014
Loan repaid - - - - -	- - -	18,354
		14,48,388
TOTAL COMMERCIAL DEPARTMENT - - -		Sicca Rupees 2,67,97,560

East India House, }
14 May 1831. }

(Errors excepted.)

Disbursements of the BENGAL Government—continued. - - - - - C'

By ORDINARY DISBURSEMENTS:				Sicca Rupees.
CHARGES GENERAL:				
Board of Trade: Salaries of the Members	- - - -	89,928		
Public Offices, &c. under Board of Trade at the Presidency	- - - -	1,12,163		
Export Warehouse: Salaries and Establishment	- - - -	77,995		
Factories - - - - ditto - - ditto	- - - -	1,80,517		
Pensions	- - - -	7,166		
Stationery	- - - -	5,818		
Superintendent of Baggage Department: Salary and Establishment	- - - -	3,236		
			4,76,823	
Investment:				
Advances and Charges	- - - - 1,15,61,651			
Commission	- - - - 4,27,511			
		1,19,89,162		
Export Warehouse:				
Sundry Goods purchased	- - - - 64,316			
Charges on Cotton and Saltpetre	- - - - 2,43,368			
Charges on Merchandize	- - - - 41,423			
Indigo purchased, and Charges thereon	- - - - 30,27,172			
Commission on Indigo	- - - - 15,950			
Export Warehouse, Salary and Charges	- - - - 1,83,315			
Customs on the Investment	- - - - 2,63,220			
Cost and Charges of Saltpetre	- - - - 94,304			
Sundry Supplies	- - - - 1,012			
		39,34,080		
		1,59,23,242		
Deduct,				
Cost of Stores sent to St. Helena	- - - - -	75,315		
			1,58,47,927	
Canton:				
Amount of Bills drawn by the Supra-Cargoes in 1828/29	- - - -	69,16,999		
Charges on account Freight	- - - - -	65,796		
			69,82,795	
Imports:				
Salary and Commission, including Establishment	- - - -	26,703		
Charge incurred for Deputation Allowance	- - - -	890		
Charges Merchandize	- - - -	29,237		
			56,830	
Territorial Books:				2,33,64,375
Spices consigned to Dehli	- - - -	- - -	810	
Commercial Charges General: Paid on account Surplus Com- mission, &c.	- - - -	- - -	1,97,780	
Revenue Department: Charges under this head	- - - -	- - -	6,530	
St. Helena: Paid for Freight	- - - -	- - -	18,771	
Fort St. George: - ditto	- - - -	- - -	791	
Civil and Marine Charges, including Advances for Buildings	- - - -	- - -	20,376	
Proceeds of Import Sales:				
Paid into the Treasury	- - - -	2,59,000		
Sundry Supplies	- - - -	17,449		
			2,76,449	
Proceeds of Exports:				
Paid into the Treasury	- - - -	2,76,806		
Sundry Supplies	- - - -	75,316		
			3,52,122	
				8,73,629
EXTRAORDINARY DISBURSEMENTS:				
Supplies to Europe Ships	- - - -	- - -	15,209	
Account Current, London: advertising for Tenders	- - - -	- - -	412	
Buildings and Dead Stock	- - - -	- - -	8,774	
Advances for Commercial Buildings	- - - -	- - -	2,15,189	
Bills payable: Commission to the Residents, &c.	- - - -	- - -	2,79,914	
Commercial Charges General: Surplus Commission paid Residents	- - - -	- - -	77,140	
Profit and Loss	- - - -	- - -	109	
Deposits	- - - -	- - -	9,375	
				6,05,522
				2,48,43,526
By BALANCE		- - - -		19,54,034
TOTAL COMMERCIAL DEPARTMENT		- -	Sicca Rupees	2,67,97,560

JAMES C. MELVILL,
Aud' of India Acco^{ts}.

D' - - - - No. 10.—Abstract STATEMENT of the Receipts and Disbursements of

To BALANCE: Amount remaining in the following Departments, on the 30th April 1828 :						Rupees.
CIVIL DEPARTMENT:						
General	-	-	-	-	75,95,928	
Revenue	-	-	-	-	1,06,65,023	
Marine	-	-	-	-	8,414	
						1,82,69,365
MILITARY DEPARTMENT						23,85,682
ORDINARY RECEIPTS:						2,06,55,047
CIVIL DEPARTMENT:						
General :						
Post Office Collections	-	-	-	-	2,78,802	
Peshcush and Subsidies from Mysore, Travancore and Cochin	-	-	-	-	34,33,111	
Mint Duties	-	-	-	-	20,606	
Durbar Presents	-	-	-	-	11,261	
Stamp Duties	-	-	-	-	4,95,570	
Town Assessment Collections	-	-	-	-	1,08,845	
						43,48,195
Judicial :						
Receipts in the Provincial and Zillah Courts	-	-	-	-	-	1,25,615
Revenue :						
Presidency and Subordinates :						
Land Revenue, current year	-	-	-	-	65,59,003	
Ditto - Balances	-	-	-	-	6,01,004	
Farms	-	-	-	-	8,21,360	
Customs	-	-	-	-	16,51,105	
						96,32,472
Ceded and Conquered Provinces:						
Land Revenues, current year	-	-	-	-	2,34,56,127	
Ditto - Balances	-	-	-	-	14,91,195	
Farms	-	-	-	-	20,65,016	
Customs	-	-	-	-	36,86,457	
Tobacco	-	-	-	-	7,44,872	
						3,14,43,667
Salt: Receipts from the Sale of						35,38,641
Extra Revenue	-	-	-	-	-	2,66,654
						4,48,81,434
Marine :						
Collections in the Beach Department, Light House and Anchorage	-	-	-	-	-	68,668
Duties, &c.	-	-	-	-	-	
						4,94,23,912
EXTRAORDINARY RECEIPTS:						
CIVIL DEPARTMENT:						
General :						
Promissory Notes issued on account Petty Claims on the Carnatic	-	-	-	-	55,600	
Funds of Public Institutions	-	-	-	-	13,90,720	
Deposits	-	-	-	-	7,45,447	
Carried forward	-	-	-	-	21,91,767	7,00,78,959

the MADRAS Government, from 1st May 1828 to 30th April 1829 C'

ORDINARY DISBURSEMENTS:					Rupees.	
CIVIL DEPARTMENT:						
General :						
Salaries to the Governor and Council	-	-	-	-	2,70,700	
Durbar Charges, Governor's Office and Establishment	-	-	-	-	3,81,657	
Salaries and Establishments at the Presidency and Subordinates	-	-	-	-	17,32,190	
Advances to Officers of His Majesty's Squadron	-	-	-	-	78,280	
Repairs of Buildings and Roads	-	-	-	-	68,288	
Stores received from England and issued	-	-	-	-	1,03,767	
Superintendent of Stamps Establishment and Contingencies	-	-	-	-	92,855	
Stipends and Allowances :					27,27,737	
Pensions at the Presidency and Subordinates	-	-	-	1,99,781		
Contributions to Public and Charitable Institutions	-	-	-	2,77,805		
Hospital and Vaccine Establishments	-	-	-	1,00,986		
Nabob of the Carnatic	-	-	-	12,25,176		
Families and Dependents of the late Nabobs	-	-	-	5,56,666		
Rajah of Tanjore	-	-	-	8,81,691		
Nabob of Masulipatam	-	-	-	51,170		
Families of the late Tippoo Sultaun and Hyder Ally	-	-	-	2,26,473		
Expense of Mysore Princes in Bengal	-	-	-	4,05,000		
					39,24,748	
Judicial :						66,52,485
Supreme Court of Judicature and Law Officers	-	-	-	-	2,94,014	
Justices of the Peace, Law Charges, &c.	-	-	-	-	88,721	
Police Charges at the Presidency	-	-	-	-	74,995	
Sudder Dewanny, Fouzdarry and Zillah Courts	-	-	-	-	28,61,855	
Revenue :						33,19,585
Board of Revenue and Officers at the Presidency	-	-	-	2,34,180		
Charges Collection of Land Revenue at the Presidency and Subordinates	-	-	-	7,99,404		
- Ditto - in the Ceded and Conquered Provinces	-	-	-	36,74,519		
					47,08,103	
Customs: Charges Collection	-	-	-	-	4,38,665	
Salt: - ditto	-	-	-	-	7,22,062	
Tobacco - ditto	-	-	-	-	2,64,951	
Pensions and Charitable Allowances	-	-	-	-	8,56,148	
Rajah's Share of Revenue in Malabar	-	-	-	-	2,90,952	
Marine :						72,80,881
Salaries, Establishments, &c.	-	-	-	-	-	2,91,788
MILITARY DEPARTMENT:						
Pay and Allowances { King's Troops	-	-	-	-	30,74,413	
Company's Troops	-	-	-	-	1,66,22,700	
General Staff and Military Officers	-	-	-	-	15,66,049	
Ordnance, Medical, and Camp Equipage Department	-	-	-	-	22,96,766	
Commissariat	-	-	-	-	27,12,320	
Repairs of Buildings	-	-	-	-	2,16,067	
Arrears of Charges Military of former years	-	-	-	-	3,09,585	
Special Pensions and Gratuities	-	-	-	-	2,06,463	
Contingencies	-	-	-	-	16,65,577	
Stores received from England	-	-	-	-	6,13,471	
Deduct Credits,					2,92,83,416	
Provision Department	-	-	-	-	6,63,025	
Bazaar Collections	-	-	-	-	4,16,385	
Sales of Stores	-	-	-	-	2,16,175	
					12,95,585	
						2,79,87,832
						4,55,32,571
Carried forward					R'	4,55,32,571

D - - - - - No 10.—Abstract STATEMENT of the Receipts and

EXTRAORDINARY RECEIPTS—continued.		Brought forward - - -	Rupees. 7,00,78,959
CIVIL DEPARTMENT: General:—cont ^d - and - Brought forward		21,91,767	
Carnatic Deposit, and Interest - - - - -		22,10,598	
Sundry Advances repaid - - - - -		5,05,882	
Received the Balance due by Government of Mysore - - -		56,982	
			40,65,229
Account Current, London :			
Bills drawn on the Honourable Court - - - - -	18,61,169		
Amount transferred to the Home Treasury on account } of Military Persons deceased - - - - -	8,121		
Advances by Court repaid - - - - -	7,35,219		
Stores received from England - - - - -	7,33,030		
Miscellaneous Receipts, Military Department - - -	2,705		
Freight payable in England on Copper Coins shipped } for Penang - - - - -	155		
		33,40,399	
HIS MAJESTY'S GOVERNMENT:			
Ceylon :			
Advances on Account Candian Prisoners repaid - - -	59,439		
Miscellaneous Credits, Military Department - - -	3,639		
		63,078	
Java :			
Miscellaneous Credits, Civil and Military - - -	7,363		
		70,441	
SUPPLIES from other PRESIDENCIES :			34,10,840
Bengal :			
Bills Drawn - - - - -	26,35,575		
Subscriptions to Loans - - - - -	20,38,943		
Amount received on account of Payment of Troops sta- } tioned at Tavoy - - - - -	3,74,000		
Received from Nizam's Government on account of } Mahratta Choute - - - - -	1,08,108		
Expense of Mysore Princes estimated - - - - -	4,05,000		
Military Stores supplied to Commissariat - - - - -	13,99,102		
Ditto - - received from Bengal - - - - -	34,088		
Burdwan and Europe Coal from Ditto - - - - -	21,933		
Supplies of Money from Resident at Nagpore by the } Paymaster of Madras Troops - - - - -	13,35,000		
Advances in Bengal to the Commissioners of the Car- } natic Fund - - - - -	49,844		
Miscellaneous Credits, Civil and Military - - -	99,853		
Sundry Small Items - - - - -	15,798		
		85,17,244	
Prince of Wales Island :			
Amount received from the Residents at } Malacca and Singapore - - - - -	1,46,503		
Received by the Paymaster of Madras } Troops - - - - -	2,55,211		
Miscellaneous Credits - - - - -	1,465		
		4,03,179	
		89,20,423	
Carried forward - - - R ^s		89,20,423	83,76,069
			7,00,78,959

Disbursements of the MADRAS Government—continued. - - - - - C

EXTRAORDINARY DISBURSEMENTS:		Brought forward	Rupees. 4,55,32,571
CIVIL DEPARTMENT:			
General:			
Interest Account - - - - -	10,44,522		
Carnatic Deposit - - - - -	11,90,000		
Salaries and Establishment of Carnatic Commissioners - - - - -	1,11,628		
Establishment of Tanjore ditto - - - - -	31,529		
Paid Principal and Interest of Petty Claims on the Carnatic - - - - -	2,24,333		
Construction of Civil Buildings, Roads, Bridges, &c. - - - - -	2,44,607		
Batta to Officers for escorting Treasure, &c. - - - - -	1,34,606		
Charges Merchandise on ditto - - - - -	38,975		
Civil Charges - - - - -	42,965		
Purchase of Dead Stock - - - - -	18,717		
Miscellaneous - - - - -	1,32,050		
	41,13,932		
Deposits repaid - - - - -	14,72,046		
Advances recoverable - - - - -	4,27,269		
Discharged Promissory Notes, issued on account of the Nabob's Debts - - - - -	2,60,000		
Discharged 10 per Cent Promissory Notes of Madras Loan - - - - -	7,000		
Amount of Bills payable discharged - - - - -	4,78,279		
Paid to Government Bank - - - - -	68,116		
Captured Property at Seringapatam, payment on account - - - - -	8,229		
	27,20,939		
Amount of Profits of Government Bank up to 1826-27, debited to this Head, and credited to Extraordinary Revenue - - - - -	54,26,981		
Ditto - Balance of Native Pension Fund - - - - -	5,80,261		
	1,28,42,113		
Deduct Credits:			
Sale of Books, and Miscellaneous Receipts - - - - -	15,228		
Amount of Profits of Government Bank credited to this Head, leaving 5 Lacs as a Credit due - - - - -	54,26,981		
Balance of Native Pension Fund - - - - -	5,80,261		
	60,22,470		
Account Current, London:			
Value of Muster Coins sent to England - - - - -	459		
Discharged Bills drawn by Honorable Court - - - - -	37,410		
Miscellaneous - - - - -	1,01,078		
	68,19,643		
HIS MAJESTY'S GOVERNMENT:			
Ceylon:			
Advances on Account Candian Prisoners, &c. - - - - -	70,077		
	2,09,024		
SUPPLIES to other PRESIDENCIES:			
Bengal:			
Interest on Securities - - - - -	32,30,693		
Drafts of Supreme Government - - - - -	16,550		
Expenses of Residency at Hyderabad - - - - -	1,72,739		
Drafts of Resident at Nagpore - - - - -	83,904		
Paid on account of the Deccan Prize Money - - - - -	3,16,791		
Post Office at Hyderabad - - - - -	14,274		
Amount of Bills drawn by Naval Officers - - - - -	43,077		
Paid the Agent of Ceylon Government for Bills in favour of Supreme Government - - - - -	28,330		
Supplies to Prince of Wales Island, &c. - - - - -	4,50,371		
Amount paid to the French Government - - - - -	5,32,500		
Military Stores supplied - - - - -	18,911		
Value of Deficiency in Coals from Bengal - - - - -	14,100		
Miscellaneous Disbursements, Civil and Military - - - - -	2,56,042		
	51,78,282		
Bombay:			
Remittance of Specie from Treasuries on Malabar Coast - - - - -	55,73,901		
Bills drawn by the Bombay Government - - - - -	3,85,000		
Supplies of Coir - - - - -	35,091		
Ditto of Military Stores - - - - -	2,901		
Field Charges and Commissariat Supplies on account of Madras Troops employed in Southern Mahratta Country - - - - -	5,98,885		
Miscellaneous Disbursements, Civil and Military - - - - -	2,04,612		
	68,00,390		
	1,19,78,672		
Carried forward - - - - - R ^a	- - -	1,90,07,339	4,55,32,571

D' - - - - - No. 10.—Abstract STATEMENT of the Receipts and

EXTRAORDINARY RECEIPTS—continued.		Brought forward	- - -	Rupees.
				7,00,78,959
CIVIL DEPARTMENT: General:—cont ^d - and - Brought forward		- - -	83,76,069	
SUPPLIES from other PRESIDENCIES—cont ^d - and Brought forward		89,20,423		
<i>Bombay:</i>				
Military Stores, received	2,181			
Amount of Bills drawn by Paymaster on account of	} 2,60,865			
Regimental Mess				
Supplies of Money to the Paymaster of Madras Field	} 18,35,000			
Forces in the Southern Mahratta Country				
Ditto - to - ditto - at Shoolapoor	- 2,69,000			
Ditto - to - Commissariat Department	- 1,00,000			
Amount Value of Honorable Company's Ship Ernaad,	} 1,07,692			
transferred to this Presidency				
Recoveries and Transfers credited by Paymasters	- 45,725			
Miscellaneous	- 29,879			
	26,50,342		1,15,70,765	
SUPPLIES from the COMMERCIAL BRANCH:				
Sale of Export and Import Goods issued for the Public Service, and	} - - -			
for Exportation to other Presidencies			1,48,699	
Revenue:				
Deposits	- - - - -	- - -	52,27,442	
Military Department:				
Deposits	- - - - -	- - -	45,013	
				2,53,67,988
TOTAL TERRITORIAL and COMMERCIAL		- - - - R ^s		9,54,46,947

East India House, }
14 May 1831. }

(Errors excepted.)

Disbursements of the MADRAS Government—*continued* - - - - - C^r

EXTRAORDINARY DISBURSEMENTS - - - Brought forward - - -			Rupees.
			4,55,32,571
CIVIL DEPARTMENT— <i>continued</i> - - and - - - Brought forward - - -	1,90,07,339		
General :			
SUPPLIES to the COMMERCIAL BRANCH.			
Advances for the Provision of Investment and Miscellaneous - - - - -	24,45,504		
Revenue :			
Deposits - - - - -	46,13,821		
Tuckavy Advances, Refunds of Arrears of Revenue, &c. - - -	11,73,375		
	57,87,196		
Deduct,			
Miscellaneous Receipts - - - - -	16,69,119		
	41,18,077		
Refunds of Judicial Charges and Sale of unclaimed Property - - -	38,397		
		40,79,680	
MILITARY DEPARTMENT:			
Deposits - - - - -	59,445		
Payment of Off-Reckonings - - - - -	2,86,076		
Construction of Military Buildings - - - - -	1,43,342		
Amount Disbursed on Account Field Charges of Troops serving on } the Tenasserim Coast - - - - - }	23,77,340		
Ditto - - - - for Field Charges to Troops serving at Prince } of Wales Island - - - - - }	2,26,332		
Extraordinary and Contingent Charges - - - - -	36,756		
Deduct Receipts,	31,29,291		
Credits for Retrenchment and Gain by Exchange - - - - -	25,352		
		31,03,939	
BALANCE :—Amount remaining in the following Departments on 30th April 1829 :			2,86,36,462
CIVIL DEPARTMENT:			
General - - - - -	95,73,027		
Revenue - - - - -	1,04,51,133		
Marine - - - - -	6,235		
		2,00,30,395	
MILITARY DEPARTMENT - - - - -		10,44,776	
		2,10,75,171	
Floating Balance - - - - -		2,02,743	
			2,12,77,914
TOTAL TERRITORIAL and COMMERCIAL - - - R ^s			9,54,46,947

JAMES C. MELVILL,

Aud^r of India Acco^{ts}.

D' - - - No. 11.—Abstract STATEMENT of the Receipts and Disbursements of

To BALANCE:—Amount remaining in the following Departments on the 30th April 1828:			Rupees.
CIVIL DEPARTMENT:			
General - - - - -	68,95,365		
Revenue - - - - -	65,08,762		
Marine - - - - -	84,990		
		1,34,89,017	
MILITARY DEPARTMENT - - - - -	- - -	30,28,591	
			1,65,17,608
ORDINARY RECEIPTS:			
CIVIL DEPARTMENT:			
General:			
Sale of Presents - - - - -	23,640		
Post Office Collections - - - - -	1,10,685		
Mint Duties - - - - -	34,685		
Stamp ditto - - - - -	57,299		
		2,26,309	
Judicial:			
Bombay County Fund - - - - -	52,818		
Fees and Fines at Provincial Courts - - - - -	60,010		
		1,12,828	
Revenue:			
Land Revenue and Sayer at the Presidency - - - - -	1,51,378		
Ditto - ditto - - - Subordinates - - - - -	15,31,468		
Ditto - ditto in Ceded and Conquered Provinces - - - - -	1,44,79,257		
		1,61,62,103	
Customs:			
Collection of Duties at the Presidency and Subordinates - - - - -	17,21,908		
Ditto - ditto in Ceded and Conquered Provinces - - - - -	21,43,497		
	38,65,405		
Deduct,			
Drawbacks - - - - -	97,220		
	37,68,185	1,99,30,288	
Salt : Receipts from the Sale of, including Duty collected - - - - -	- - -	1,85,820	
Marine : Hire of Dry Docks, Mooring Chains, Luggage Boats, &c. - - - - -	- - -	1,55,036	
			2,06,10,281
EXTRAORDINARY RECEIPTS:			
CIVIL DEPARTMENT:			
General:			
Bills of Exchange payable - - - - -	30,485		
Roads : Wheel Tax - - - - -	36,168		
Deposits on account of Funds of Public Institutions - - - - -	13,26,072		
Guicowar State, for the Maintenance of Mular Row, Canojee Row, &c. - - - - -	18,385		
On account : Advance to the Family of the late Khamoolooden } Hussoon Khan - - - - - }	10,000		
Deposits on account of Native Servants going with Passengers to } England - - - - - }	21,600		
Ditto - Military Stores lent to Merchants - - - - -	2,695		
Ditto - of the Estates of deceased Military Officers - - - - -	47,902		
Ditto - of Supreme Court of Judicature at Bombay - - - - -	3,89,755		
		18,83,062	
Carried forward - - - R ^a - - -	- - -	18,83,062	3,71,27,889

the BOMBAY Government, from 1st May 1828 to 30th April 1829 - - - - C'

ORDINARY DISBURSEMENTS:
CIVIL DEPARTMENT:

				Rupees.
General:				
Salaries to the Governor and Council	-	-	3,41,000	
Public Offices and Establishments at the Presidency	-	-	10,00,530	
Ditto - - - ditto - - - at Subordinates	-	-	8,68,445	
Durbar Charges	-	-	1,10,807	
Post Office ditto	-	-	1,56,514	
Mint - - ditto	-	-	32,480	
Ecclesiastical Department	-	-	2,39,876	
Public Contingencies	-	-	8,47,703	
Repairs to Roads and Bridges	-	-	1,20,852	
Pensions and Charitable Allowances	-	-	5,76,125	
				42,94,332
Judicial:				
Supreme Court and Establishments	-	-	3,89,831	
Bombay County Fund	-	-	1,31,025	
Sudder and Fouzdarry Adawlut	-	-	2,03,361	
Provincial Courts	-	-	12,10,496	
				25,35,613
Revenue:				
Charges of Collection at the Presidency	-	-	29,645	
Ditto - ditto - at Subordinates	-	-	2,52,749	
Ditto - ditto in Ceded and Conquered Provinces	-	-	19,16,777	
Allowances to Zemindars and other District Village Officers	-	-	15,21,921	
Pensions and Charitable Allowances	-	-	7,01,044	
Ditto - to Bajee Row and Chimajee Appah	-	-	7,15,400	
Stipends to the Nawaub of Surat and Officers of his Court,	-	-	1,12,632	
				52,50,168
Customs:				
Charges of Collection at the Presidency	-	-	1,40,702	
Ditto - ditto - at Subordinates	-	-	75,130	
Ditto - ditto - in Ceded and Conquered Provinces	-	-	1,08,115	
				3,23,947
Marine:				
Office Establishment and Charges	-	-	1,57,776	
Charges of Cruizers and Vessels, including similar Charges for former Years	-	-	5,65,756	
Marine Charges	-	-	3,14,918	
Pattamar and other Boats	-	-	32,756	
Marine Yard, &c.	-	-	22,749	
Surat Cruizers and Charges	-	-	26,715	
Charges on account Dry Docks and Mooring Chains	-	-	23,487	
Ditto - - - Marine Stores	-	-	17,156	
Value of Marine Stores received from England	-	-	2,07,227	
				13,78,540
MILITARY DEPARTMENT:				
Pay and Allowances to King's Troops	-	-	14,69,697	
Ditto - ditto - Company's Troops	-	-	79,38,003	
Baroda Subsidiary Force	-	-	18,92,331	
Poonah Auxiliary ditto	-	-	6,25,310	
General Division, Garrison and Medical Staffs	-	-	17,22,730	
Contingencies	-	-	17,82,757	
Repairs to Fortifications and Buildings	-	-	2,45,339	
Military and Medical Stores received from England	-	-	9,38,161	
Field Charges on Account Madras Troops employed in the Southern Mahratta Country	-	-	5,75,758	
				1,71,90,086
EXTRAORDINARY DISBURSEMENTS:				
CIVIL DEPARTMENT:				
General:				
Interest on Deposits	-	-	2,00,865	
Bills of Exchange payable	-	-	1,48,300	
Treasury Notes discharged	-	-	7,63,600	
Enamdars	-	-	7,56,536	
Issued on account Funds of Public Institutions, Lotteries and Deposits	-	-	10,35,487	
Sundry Prize Funds	-	-	11,056	
Issued on account Guicowar State for the Maintenance of Mulhar Row, &c.	-	-	13,224	
Rent of Factory at Cambay, and Charges	-	-	1,800	
				29,30,868
Carried forward - - - R'				3,09,72,686

D' No. 11.—Abstract STATEMENT of the Receipts and

		Brought forward - - -	Rupees. 3,71,27,889
EXTRAORDINARY RECEIPTS—continued.			
CIVIL DEPARTMENT:—General—cont^d - - and - - Bro^t forward - R^s		18,83,062	
SUPPLIES from LONDON:			
Bills drawn on the Court - - - - -	11,74,824		
Advances in England recovered, &c. - - -	3,36,827		
Family Remittances payable in England - -	3,374		
Cutlery and Glassware received from England -	14,653		
Political Stores received - - - - -	12,25,697		
	27,55,375		
SUPPLIES from other PRESIDENCIES:			
<i>Bengal:</i>			
Four and Five per Cent. Loan of 1825/26 and Exchange	14,01,966		
Bills drawn on the Supreme Government by this Presidency, on account deceased Military Officers in His Majesty's Service - - - - -	3,348		
Drafts on account of Interest - - - - -	96,406		
Payments made to Military and Marine Officers, &c. -	84,284		
Stores received - - - - -	2,27,142		
Pensions on account Civil Department, &c. - -	7,18,540		
Sale of Opium from Malwah - - - - -	64,49,850		
	89,81,536		
<i>Fort St. George:</i>			
Specie and Bullion received from Madras - - -	55,73,449		
Bills drawn on Madras - - - - -	3,38,650		
Disbursements on account this Presidency - - -	2,15,944		
Madras Civil Fund - - - - -	5,686		
Field Charges and Commissariat Supplies on account } Madras Troops serving in the Dooab - - - - -	5,75,758		
	67,09,487		
<i>St. Helena:</i>			
Disbursements on account this Presidency - - -	2,548		
<i>Cape of Good Hope:</i>			
Disbursements on account this Presidency - - -	6,867		
<i>His Majesty's Government (Ceylon):</i>			
Disbursements on account this Presidency - - -	1,013		
SUPPLIES from the COMMERCIAL BRANCH:			
Amount received into the General and Subordinate Treasuries -	85,508		
Supra-Cargoes at Canton; Medicines consigned to this Presidency -	198		
	1,85,42,532		
Judicial:			
Piece Goods manufactured by Prisoners in Jail - - -	8,824		
Revenue:			
Sale of Confiscated Goods and stray Cattle - - -	1,778		
Sundry Receipts - - - - -	1,30,164		
Sundry Deposits - - - - -	30,798		
	1,62,740		
Customs:			
Sale of Seized Goods - - - - -	306		
Deposits on account (see Customs and Town Duties) - -	50,186		
	50,492		
Marine:			
Sale of Marine Vessels and Boats - - - - -	1,20,136		
Surat Artificers - - - - -	2,170		
Unclaimed Pay - - - - -	10,189		
	1,32,495		
Military:			
Bazaar Collections - - - - -	35,912		
Amount received from Cutch Government - - -	1,70,000		
Miscellaneous - - - - -	36,696		
Sale of Stores - - - - -	22,335		
	2,64,943		
			2,10,45,088
Carried forward - - - R ^s			5,81,72,977

Disbursements of the BOMBAY Government—continued. - - - - - C'

		Brought forward - - -	Rupees. 3,09,72,686
EXTRAORDINARY DISBURSEMENTS—continued.			
CIVIL DEPARTMENT: General—cont^d - - - - and Bro^t forward - R^a	29,30,868		
Extra Medical Establishment during the prevailing Epidemic Cholera	1,585		
Sundry Political Charges - - - - -	99,333		
Exchange - - - - -	2,20,569		
Buildings and Purchase of Dead Stock - - - - -	3,17,182		
		35,69,537	
SUPPLIES to LONDON:			
Out Pensioners of the Royal Hospital at Chelsea - - -	5,178		
Contingencies - - - - -	520		
Advances made by the Agent at the Cape of Good Hope, } recoverable in England - - - - -	4,446		
Value of Coins transmitted to England - - - - -	225		
	10,369		
SUPPLIES to other PRESIDENCIES:			
<i>Bengal:</i>			
Interest on Loans - - - - -	14,63,975		
Bills on account that Presidency - - - - -	2,54,643		
Disbursements, including Pensions - - - - -	3,16,176		
Opium Agent's Office and Establishment - - - - -	52,026		
Advances to His Majesty's Government - - - - -	1,59,318		
Commission to Bengal - - - - -	21,275		
Consignment of Coir - - - - -	35,091		
	23,02,504		
<i>Fort St. George:</i>			
Advances to the Military Paymaster in the Carnatic - - -	21,14,760		
Disbursements on account Civil and Military Depart- } ment, &c. - - - - -	4,92,631		
	26,07,391		
<i>Ceylon:</i> Disbursements on account this Presidency - - -	2,883		
<i>St. Helena:</i> - - - ditto - - - ditto - - - - -	1,770		
SUPPLIES to the COMMERCIAL BRANCH:			
Advances from General and Subordinate Treasuries for } purchase of Investments - - - - -	11,39,732		
Ditto for Payment of Duties on Company's Investments - - -	62,274		
	12,02,006		
		61,26,923	
<i>Judicial:</i>			
Constructing Judicial Buildings - - - - -	6,122		
Dead Stock supplied - - - - -	13,254		
Expense of Piece Goods manufactured by Prisoners in Jail - - -	11,478		
		30,854	
<i>Revenue:</i>			
Charges on account Surveys - - - - -	1,85,521		
Ditto - - - Revenue Buildings - - - - -	10,589		
Ditto - - - Revenue Dead Stock - - - - -	11,589		
Expense of Troops employed - - - - -	32,213		
Sundry Advances and Charges - - - - -	40,089		
Sundry Deposits - - - - -	16,747		
		2,96,748	
<i>Customs:</i>			
Dead Stock - - - - -	710		
Buildings - - - - -	6,378		
		7,088	
<i>Marine:</i>			
Compensation to Commanders in lieu of Freight - - - - -	11,05		
Building Vessels for the Bombay Marine - - - - -	53,47		
Timber, Purchase of, including Charges in Malabar - - - - -	2,96,948		
Wages to Workmen in the Employ of Navy or Merchants - - -	6,672		
Construction of Buildings in the Dock Yard - - - - -	6,000		
Loss by Sale of Stores - - - - -	67,817		
Passage of Marine Invalids paid by Bills on England - - - - -	1,772		
		4,43,732	
Carried forward - - - R ^a	- - -	1,04,74,882	3,09,72,686

Disbursements of the BOMBAY Government—continued.

C^r

Brought forward - - -		Rupees.
		3,09,72,686
EXTRAORDINARY DISBURSEMENTS—continued, and Brought forward		1,60,31,150
MILITARY DEPARTMENT:		
Off-Reckonings - - - - -	2,82,503	
Exchange - - - - -	2,95,670	
Passage-Money of Invalids of His Majesty's Regiments, paid by } Bills on England - - - - -	48,075	
Dead Stock - - - - -	4,07,208	
		10,33,516
BALANCE:—Amount remaining in the following Departments, on the 30th April 1829:		1,15,08,398
CIVIL DEPARTMENT:		4,24,81,084
General - - - - -	77,08,814	
Revenue - - - - -	57,26,717	
Marine - - - - -	1,46,328	
		1,35,81,859
MILITARY - - - - -	21,10,034	
		1,56,91,893
		Rupees
		5,81,72,977

in the COMMERCIAL Department at BOMBAY, for 1828/29

C^r

ORDINARY DISBURSEMENTS:		Rupees.
COMMERCIAL CHARGES:		
At the Presidency:		
Export Department: Salary and Establishment - - - - -	85,702	
Import Department: ditto - - - ditto - - - - -	11,441	
Subordinates: - - - ditto - - - ditto - - - - -	83,037	
		1,80,180
Duties on Imports - - - - -	55,523	
Ditto Exports - - - - -	7,277	
		62,800
EXTRAORDINARY DISBURSEMENTS:		
CHARGES ON MERCHANDIZE:		
At the Presidency: - - - - -	81,590	
Ditto Surat - - - - -	43,673	
		1,25,263
Advanced for Commercial Buildings, &c. - - - - -	11,662	
		1,36,925
INVESTMENTS:		
Surat Cotton for Europe and China - - - - -		8,48,155
TERRITORIAL BOOKS:		
Sundry Payments made into the Treasury - - - - -		85,508
BALANCE:—Amount remaining in this Department on the 30th April 1829 -		1,48,728
		Rupees
		14,62,295

JAMES C. MELVILL,
Aud^r of India Acco^{ts}.

D' - - No. 12.—Abstract STATEMENT of the Actual Receipts and Disbursements

To BALANCES 1st May 1828:			Rupers.
Prince of Wales Island	- - - - -	102,160	
Singapore	- - - - -	37,458	
Malacca	- - - - -	22,215	1,61,833
TO RECEIPTS:			
PRINCE OF WALES ISLAND.			
ORDINARY.			
Civil:			
Post Office Collections	- - - - - 2,040		
Fees from Court of Judicature, Police and Court of Re-quests	- - - - - 46,145		
Amount of Revenues collected by the Collector and Superintendent of Lands	- - - - - 171,972		
Collections on account Anchorage, Pilotage, Water, &c.	- - - - - 1,610	2,21,767	
SINGAPORE.			
Post Office Collections	- - - - - 954		
Fees in Court of Judicature, Police and Court of Re-quests	- - - - - 18,154		
Excise Farms and Duties on Land, &c.	- - - - - 197,499	2,16,607	
MALACCA.			
Post Office Collections	- - - - - 264		
Annual Passes of Square-rigged Vessels	- - - - - 84		
Fees from Court of Judicature, Police and Court of Requests	- - - - - 5,249		
Excise Farms, and Duties on Houses and Lands	- - - - - 44,153		
Collections on account Produce of Lands	- - - - - 6,380		
Ditto - on account Port Clearances	- - - - - 152	56,282	
TOTAL ORDINARY RECEIPTS			4,94,656
EXTRAORDINARY.			
PRINCE OF WALES ISLAND.			
Civil:			
Amount of Bills drawn upon the Supreme Government during the year	- - - - - 6,09,107		
Profit on ditto	- - - ditto - - - 729		
Amount of Bills drawn upon the Madras Government during the year	- - - - - 46,952		
Treasure from Calcutta	- - - - - 3,00,000		
Ditto - from Madras	- - - - - 2,80,367		
Copper Coin from ditto	- - - - - 14,254		
Amount of Bills drawn upon the Honourable Court of Directors	- - - - - 9,006		
Loans from Individuals	- - - - - 1,25,607		
Civil Annuity Fund	- - - - - 22,614		
Native Pension Fund	- - - - - 2,009		
Received on account of various purposes	- - - - - 32,613	14,43,258	
Ditto - - - of Singapore	- - - - - 3,905		
Ditto - - - of Malacca	- - - - - 1,453		
		5,358	
Military:			
Received on account Military Stores, &c. sold	- - - - - 75		
Carried forward		14,43,333	4,94,656
			1,61,833

at PRINCE OF WALES ISLAND, SINGAPORE and MALACCA, for 1828/29 - - - - - Cr

BY DISBURSEMENTS:								Rupees.
ORDINARY.								
PRINCE OF WALES ISLAND.								
Civil:								
Amount General Department	-	-	-	-	2,06,180	3,24,934		
Ditto Judicial - ditto	-	-	-	-	73,650			
Ditto Revenue - ditto	-	-	-	-	15,680			
Ditto Marine - ditto	-	-	-	-	29,424			
Military:								
Amount Local Military Charges	-	-	-	-	-	48,613	3,73,547	
SINGAPORE.								
Civil:								
Amount General Department	-	-	-	-	1,72,846	2,37,228		
Ditto Judicial - ditto	-	-	-	-	37,081			
Ditto Revenue - ditto	-	-	-	-	6,941			
Ditto Marine - ditto	-	-	-	-	20,360			
Military:								
Amount Local Military Charges	-	-	-	-	-	22,009	2,59,237	
MALACCA.								
Civil:								
Amount General Department	-	-	-	-	1,12,432	1,60,126		
Ditto Judicial - ditto	-	-	-	-	36,235			
Ditto Revenue - ditto	-	-	-	-	2,537			
Ditto Marine - ditto	-	-	-	-	8,922			
Military:								
Amount Local Military Charges	-	-	-	-	-	23,040	1,83,166	
TOTAL ORDINARY DISBURSEMENTS						-	-	8,15,950
EXTRAORDINARY.								
PRINCE OF WALES ISLAND.								
Civil:								
Amount General Department	-	-	-	-	3,26,358	5,39,473		
Ditto Judicial - ditto	-	-	-	-	2,01,613			
Ditto Revenue - ditto	-	-	-	-	433			
Ditto Marine - ditto	-	-	-	-	11,069			
Amount of Treasure consigned, Drafts paid, &c. on account of Singapore during the year						1,03,790		
Deduct amount brought on the Singapore Accounts, as per D ^r side								
						1,502		
Amount of Treasure consigned, Drafts paid, &c. on account of Malacca during the year						1,57,617		
Deduct amount brought on the Malacca Accounts, as per D ^r side								
						7,132		
							5,48,107	
Military:								
Amount of Sundry Contingencies	-	-	-	-	18,478	19,840	5,67,947	
Ditto - ditto - on account Singapore	-	-	-	-	1,251			
Ditto - ditto - ditto - Malacca	-	-	-	-	111			
Carried forward						-	R ¹	8,15,950

D^r - - - - - No. 12.—Abstract STATEMENT of the Actual Receipts and

		Brought forward - - -	Sicca Rupees.
ORDINARY RECEIPTS - - - Brought forward - - -		4,94,656	1,61,833
EXTRAORDINARY RECEIPTS—continued, and Brought forward		14,43,333	
SINGAPORE.			
Civil:			
Amount of Bills drawn upon the Supreme Government during the year - - -	352,338		
Ditto - ditto - Madras Government - - -	9,661		
Premium on - ditto - - - - -	543		
Received on account Civil Annuity Fund - - -	1,579		
Ditto - ditto - Native Pension Fund - - -	683		
Ditto - for Passes granted to Ships and Vessels - - - - -	496		
Ditto - on account various purposes - - -	1,669		
	3,66,969		
Received on account of Penang - - -	1,02,288		
Military:			
Received from Lieut. Campbell, overdrawn by him in pay to Madras Troops - - -	1,487		
Ditto - for Sales of Rations and unserviceable Commissariat Stores - - -	799		
	2,286		
	3,69,255		
MALACCA.			
Civil:			
Amount of Bills drawn on the Supreme Government - - -	49,122		
Ditto - ditto - on the Madras Government - - -	935		
Received on account Civil Annuity Fund - - -	2,266		
Ditto - - - Native Pension Fund - - -	224		
Ditto - - - various purposes - - -	579		
Treasure from Prince of Wales Island, and Bills drawn upon the Governor and Council - - -	1,50,485		
Treasure from Singapore and Advances - - -	51,030		
	2,01,515		
	53,126		
TOTAL EXTRAORDINARY RECEIPTS - - -		16,65,714	
			23,60,370
Carried forward - - - R ^s			25,22,203

Disbursements at PRINCE OF WALES ISLAND, &c.—continued.

ORDINARY DISBURSEMENTS - - - Brought forward - - -				Sicca Rupees.
EXTRAORDINARY DISBURSEMENTS—continued, and Brought forward - -				8,15,950
5,67,947				
SINGAPORE.				
Civil:				
Amount General Department - - -	82,098			
Ditto Judicial - ditto - - -	8,774			
Ditto Revenue - ditto - - -	5,168			
Ditto Marine - ditto - - -	1,605			
	97,645			
Amount paid on account of Prince of Wales } Island during the year - - - }	13,816			
Deduct received on account of Singapore at } Penang, as per D ^r side - - - }	3,905			
	9,911			
Amount of Treasure consigned, and other } Charges paid on account of Malacca dur- } ing the year - - - - - }	68,341			
Deduct amount received at Malacca, as per } D ^r side - - - - - }	51,029			
	17,312			
	1,24,868			
Military:				
Amount of Contingencies - - - - -	4,261			
	1,29,129			
MALACCA.				
Civil:				
Amount General Department - - - - -	48,921			
Ditto Judicial - ditto - - - - -	1,750			
Ditto Marine - ditto - - - - -	301			
Amount paid on account of Prince of Wales } Island - - - - - }	4,832			
Deduct received at Penang on account of Malacca	1,452			
	3,380			
Amount paid on account of Singapore - - - - -	23			
	54,373			
Military:				
Amount Sundry Contingencies - - - - -	5,844			
Ditto - - on account of Penang - - - - -	628			
Ditto - - - ditto, - Singapore - - - - -	19			
	6,501			
	60,874			
TOTAL Extraordinary Disbursements - - - -				
				7,57,950
GENERAL CHARGES of the Three INCORPORATED SETTLEMENTS:				
PRINCE OF WALES ISLAND.				
One-third of the Amount of the Charges under this head - - - - -				88,205
SINGAPORE.				
One-third of the Amount of the Charges under this head - - - - -				88,204
MALACCA.				
One-third of the Amount of the Charges under this head - - - - -				88,204
				2,64,613
Carried forward - - - - R ^s				18,38,513

D' - - - - - No. 12.—Abstract STATEMENT of the Receipts and

EXTRAORDINARY RECEIPTS - - - Brought forward - - -			Sicca Rupees. 25,22,203
RECEIPTS on account of other PRESIDENCIES:			
BENGAL:			
PRINCE OF WALES ISLAND.			
Received on account of the Bengal 5 per cent. Loan - - -	1,02,700		
Ditto on account Hire of Convicts - - - - -	2,074		
Ditto from the Commander of the Hastings, being the Amount advanced to him by Mr. Ibbetson on the Mission to Bencoolen }	1,580		
Ditto from the Officers of the Bengal Army, on account } Orphan and Military Funds - - - - - }	161		
	1,06,515		
MALACCA.			
Received on account Hire of Convicts - - - - -	214	1,06,729	
MADRAS:			
PRINCE OF WALES ISLAND.			
Received on account Passage-money of a Draftsman from Madras -	116		
AT MALACCA.			
Received from Captain Cormack, being one-half the amount of Passage-money of Lieutenant Crosby and Party from Singapore to Madras - - - - - }	280	396	
J A V A:			
MALACCA.			
Amount of Remittance from Rhio - - - - -	16,840		
Ditto - - - - received from Dutch Pensioners at this Settlement, on account of Arrears of Contribution to the Widow and Orphan Fund of Netherlands India - - - }	739		
	17,579		
SINGAPORE.			
Amount of Remittance from Rhio on account of Malacca - -	16,840	34,419	
TOTAL Receipts on account of other Presidencies - - -			1,41,544
Carried forward - - R ^s			26,63,747

Disbursements at PRINCE OF WALES ISLAND, &c.—*continued.* - - - - - C'

DISBURSEMENTS at Prince of Wales Island, &c. - - - - - Brought forward - - -		Sicca Rupees. 18,38,513
DISBURSEMENTS on account of other PRESIDENCIES.		
BENGAL:		
PRINCE OF WALES ISLAND.		
General:		
Expenses of the Convicts - - - - -	52,537	
Pensioners - - - - -	4,323	
Interest on the 5 per cent. Loan - - - - -	18,511	
Advance to the Mission to Bencoolen - - - - -	4,000	
Sundry Expenses - - - - -	2,069	
	81,440	
Marine:		
Expenses on account of the Hastings, &c. - - - - -	30,039	
Military:		
Sundry Expenses, as per Account - - - - -	8,997	
	1,20,476	
SINGAPORE.		
Sundry Expenses on account of Convicts - - - - -	11,054	
Pay and Allowances of Lieutenant W. E. Hay - - - - -	528	
Advanced Mr. R. Ibbetson proceeding on a Mission to } Bencoolen - - - - -	10,000	
Expenses on account of the Governor General while at } Singapore - - - - -	121	
Mexican and Peruvian Dollars sent to Calcutta for the pur- } pose of being assayed - - - - -	126	
	21,829	
MALACCA.		
Sundry Expenses on account of Convicts - - - - -	13,611	
Expenses on account of Military - - - - -	392	
	14,003	1,56,308
MADRAS:		
PRINCE OF WALES ISLAND.		
Sundry Expenses on account of Madras Troops, &c. - - - - -	2,51,656	
SINGAPORE.		
Sundry Expenses on account of Convicts - - - - -	8,880	
Ditto - - ditto - - Military - - - - -	95,926	
	1,04,806	
MALACCA.		
Sundry Expenses on account Madras Troops, &c. - - - - -	49,402	
	4,05,864	
Carried forward - - -	5,62,172	18,38,513

Disbursements at PRINCE OF WALES ISLAND, &c.—*continued.* - - - - - C.

		Brought forward - - -	Sicca Rupees. 18,38,513
DISBURSEMENTS on account of other PRESIDENCIES - - Brought forward -		5,62,172	
LONDON:			
PRINCE OF WALES ISLAND.			
Expenses on account of His Majesty's Navy - - - - -	3,171		
Ditto - ditto of Seamen belonging to the Honourable Com- pany's Ships - - - - - }	107		
		3,278	
BOMBAY:			
SINGAPORE.			
Expenses on account of Convicts - - - - -	- - -	3,217	
JAVA:			
AT MALACCA.			
Paid the Netherland Pensions - - - - -	- - -	9,077	
TOTAL Disbursements on account of other Presidencies - - - - -	- - -		5,77,744
TOTAL Disbursements - - - - -	- - -	- - -	24,16,257
By BALANCES, 30th April 1829:			
At Prince of Wales Island - - - - -	- - -	44,959	
- Singapore - - - - -	- - -	1,69,295	
- Malacca - - - - -	- - -	33,236	
			2,47,490
		Sicca Rupees - -	26,63,747

JAMES C. MELVILL,
Aud^r of India Acco^{ts}.

No. 13.—AN ACCOUNT of the BALANCE of QUICK STOCK ; exhibiting a State of the
of FORT WILLIAM, FORT ST. GEORGE, BOMBAY, and at the Presidency of PRINCE OF

											FORT WILLIAM.	
TERRITORIAL :											Current Rupees.	£.
CASH	-	-	-	-	-	-	-	-	-	-	2,67,62,589	2,676,259
BILLS Receivable	-	-	-	-	-	-	-	-	-	-	47,09,201	470,920
STORES	-	-	-	-	-	-	-	-	-	-	60,17,273	601,727
DEBTS	-	-	-	-	-	-	-	-	-	-	5,56,87,113	5,568,711
SALT, OPIUM, RUM, GRAIN and CATTLE	-	-	-	-	-	-	-	-	-	-	2,49,34,056	2,493,406
TOTAL ASSETS											11,81,10,232	11,811,023
BOND, Register and other DEBTS bearing Interest	-	-	-	-	-	-	-	-	-	-	35,60,54,401	35,605,440
ARREARS and DEBTS not bearing Interest	-	-	-	-	-	-	-	-	-	-	6,78,75,325	6,787,533
TOTAL DEBTS											42,39,29,726	42,392,973
COMMERCIAL :												
CASH	-	-	-	-	-	-	-	-	-	-	27,99,013	279,901
BILLS	-	-	-	-	-	-	-	-	-	-	1,63,239	16,324
DEBTS	-	-	-	-	-	-	-	-	-	-	1,05,33,446	1,053,345
STORES	-	-	-	-	-	-	-	-	-	-	-	-
EXPORT GOODS	-	-	-	-	-	-	-	-	-	-	73,46,147	734,615
IMPORT GOODS	-	-	-	-	-	-	-	-	-	-	2,53,694	25,369
TOTAL ASSETS											2,10,95,539	2,109,554
ARREARS and DEBTS not bearing Interest	-	-	-	-	-	-	-	-	-	-	14,66,820	146,682
GRAND TOTAL of ASSETS											13,92,05,771	13,920,577
GRAND TOTAL of DEBTS											42,53,96,546	42,539,655
EXCESS of DEBTS Territorial											30,58,19,494	30,581,949
EXCESS of ASSETS Territorial											-	-
EXCESS of ASSETS Commercial											1,96,28,719	1,962,872

N. B.—Current Rupees converted into £. Sterling at 2s. the current Rupee.

Pagodas - ditto - ditto at 8s. the Pagoda.

Bombay Rupees, ditto - ditto at 2s. 3d. the Bombay Rupee.

East India House,
14 May 1831. }

(Errors excepted.)

Company's Affairs in respect to their ASSETS and DEBTS, as they stood at the several Presidencies
WALES ISLAND, including SINGAPORE and MALACCA, at the conclusion of the Year 1828/9.

FORT ST. GEORGE.		BOMBAY.		PRINCE OF WALES ISLAND, Including Singapore and Malacca.		TOTAL.
Pagoda.	£.	Rupia.	£.	Current Rupee.	£.	£.
60,06,822	2,402,729	1,56,91,884	1,765,337	2,87,088	28,709	6,873,034
- - -	- - -	- - -	- - -	- - -	- - -	470,920
50,33,554	2,013,422	1,09,66,126	1,233,689	9,36,223	93,622	3,942,460
55,56,421	2,222,568	82,35,747	926,522	2,61,327	26,133	8,743,934
13,99,671	559,868	11,58,793	130,364	- - -	- - -	3,183,638
1,79,96,468	7,198,587	3,60,52,550	4,055,912	14,84,638	148,464	23,213,986
78,87,119	3,154,848	49,62,586	558,291	93,533	9,353	39,327,932
26,42,278	1,056,911	47,73,999	537,075	1,58,016	15,802	8,397,321
1,05,29,397	4,211,759	97,36,585	1,095,366	2,51,549	25,155	47,725,253
54,413	21,765	1,48,728	16,732	- - -	- - -	318,398
- - -	- - -	- - -	- - -	- - -	- - -	16,324
2,16,589	86,636	9,68,176	108,920	- - -	- - -	1,248,901
4,122	1,649	- - -	- - -	- - -	- - -	1,649
5,14,550	205,820	1,30,863	14,722	- - -	- - -	955,157
18,555	7,422	2,28,250	25,678	- - -	- - -	58,469
8,08,229	323,292	14,76,017	166,052	- - -	- - -	2,598,898
- - -	- - -	72,721	8,181	- - -	- - -	154,863
1,88,04,697	7,521,879	3,75,28,567	4,221,964	14,84,638	148,464	21,812,884
1,05,29,397	4,211,759	98,09,306	1,103,547	2,51,549	25,155	47,880,116
- - -	- - -	- - -	- - -	- - -	- - -	30,581,949
74,67,071	2,986,828	2,63,15,965	2,960,546	12,33,089	123,309	6,070,683
8,08,229	323,292	14,03,296	157,871	- - -	- - -	2,444,035
NET EXCESS of DEBTS in INDIA						22,067,231
NET EXCESS of DEBTS Territorial						24,511,266
NET EXCESS of DEBTS						2,444,035

JAMES C. MELVILL,
Aud^r of India Acco^{ts}.

No. 14.

AMOUNT of BOND and other DEBTS owing by The EAST INDIA COMPANY, at their several Presidencies in the *East Indies*, on the 30th April 1829; the Rates of Interest which such Debts respectively carry; and the Annual Amount of such Interest.

TERRITORIAL:				
BENGAL:				
DEBTS, &c. bearing INTEREST:				
Loans at 6 per cent.	- - - - - S ^a R ^a	7,53,82,513		
Vizier's Loan at 6 ditto	- - - - -	56,39,089		
Loans at 5 per cent.	- - - - -	21,15,65,462		
Loans at 4 ditto	- - - - -	21,89,567		
Bhow Begum's Stipend Fund, at 6 per cent.	- - - - -	55,98,435		
Promissory Notes, at 6 per cent, issued to Java Prize Agents	- - - - -	3,22,016		
Loan at 10 per cent. transferred from Fort Marlbro'	- - - - -	18,505		
Treasury Notes, at 8 per cent.	- - - - -	4,61,600		
Ditto - - at 5 ditto	- - - - -	7,70,380		
Ditto - - at 2 and 2½ pice per cent. per diem	- - - - -	13,13,300		
Civil Service Annuity Fund, at 6 per cent.	- - - - -	30,25,332		
Bhurlpore Captured Property, at 5 per cent.	- - - - -	1,95,800		
Deccan Prize Fund, at 5 per cent.	- - - - -	4,61,450		
		30,69,43,449		
Batta, 16 per cent.	- - - - -	4,91,10,952		
			35,60,54,401	
Interest estimated on Loans	- - - - -	31,16,512		
Ditto on Loans from Oude, and Individuals	- - - - -	6,34,138		
Ditto on Treasury Notes	- - - - -	61,028		
Ditto on Bhurlpore Prize Property	- - - - -	5,81,429		
Ditto on Deccan Prize Fund	- - - - -	23,98,571		
Bonds and Notes ordered for payment	- - - - -	5,03,677		
Six per cent. Loans ordered for payment, on which Interest has ceased	- - - - -	4,84,512		
Treasury Notes ditto ditto ditto	- - - - -	2,00,695		
Bills payable on account other Presidencies	- - - - -	8,49,995		
Deposits in Civil and Military Departments	- - - - -	1,96,15,419		
ARREARS AND DEBTS.				
CIVIL DEPARTMENT:				
General	- - - - - 45,18,585			
Judicial	- - - - - 31,98,582			
Revenue	- - - - - 93,29,416			
Marine	- - - - - 1,11,557			
		1,71,58,140		
MILITARY DEPARTMENT	- - - - - 1,29,09,095			
		3,00,67,235		
		5,85,13,211		
Batta, 16 per cent.	- - - - -	93,62,113		
			6,78,75,324	
TOTAL TERRITORIAL DEBTS at BENGAL		- - - C ^t Rupees	42,39,29,725	
		At 2s. the Current Rupee	- - - £.	42,392,973
MADRAS:				
DEBTS at INTEREST:				
Loans at 8 per cent.	- - - - - Pagodas	44,000		
Ditto - 6 - ditto	- - - - -	296,498		
Ditto - 5 - ditto	- - - - -	15,714		
Ditto - 4 - ditto	- - - - -	90,143		
Deposits at 8 per cent.	- - - - -	11,55,998		
Ditto - 6 - ditto	- - - - -	62,83,888		
Ditto - 5 - ditto	- - - - -	878		
		78,87,119		
		At 8s. the Pagoda	- - - £.	3,154,848
Loans undischarged, on which Interest has ceased	- - - - -	1,48,739		
Deposits not bearing Interest	- - - - -	10,99,141		
ARREARS AND DEBTS:				
CIVIL DEPARTMENT:				
General	- - - - - 3,67,910			
Revenue	- - - - - 25,994			
		3,93,904		
MILITARY DEPARTMENT	- - - - - 10,00,494			
		13,94,398		
	Pagodas	26,42,278		
		At 8s. the Pagoda	- - - £.	1,056,911
TOTAL TERRITORIAL DEBTS at MADRAS		- - - £.	4,211,759	
		Carried forward	- - - £.	46,604,732

BOMBAY :										Brought forward	-	-	£.	46,604,732
DEBTS at INTEREST :														
Deposits at 8 per cent.	-	-	-	-	-	-	-	Rupees	19,01,151					
Ditto - - 6 - ditto	-	-	-	-	-	-	-	-	20,35,431					
Ditto - - 4 - ditto	-	-	-	-	-	-	-	-	10,26,004					
												49,62,586		
Loans advertised for payment, but not demanded	-	-	-	-	-	-	-	-	2,27,249					
Deposits	-	-	-	-	-	-	-	-	18,20,327					
ARREARS and DEBTS :														
CIVIL DEPARTMENT :														
General	-	-	-	-	-	-	-	2,14,934						
Revenue	-	-	-	-	-	-	-	6,98,679						
Judicial	-	-	-	-	-	-	-	82,497						
Marine	-	-	-	-	-	-	-	1,49,172						
										11,45,282				
MILITARY DEPARTMENT -										15,81,141				
										27,26,423				
												47,73,999		
										Rupees		97,36,585		
TOTAL TERRITORIAL DEBTS at BOMBAY, at 2s. 3d. the Rupee										-	-	£.	1,095,366	
PRINCE OF WALES ISLAND, &c. :														
Loan and Deposits bearing Interest	-	-	-	-	-	-	-	S ^a R ^e	80,632					
Arrears and Debts not bearing Interest	-	-	-	-	-	-	-	-	1,36,221					
												2,16,853		
										Batta, 16 per cent.		34,696		
										Current Rupees		2,51,549		
TOTAL TERRITORIAL DEBTS at PRINCE OF WALES ISLAND, &c., at 2s. the C ^t R ^e										-	-	£.	25,155	
TOTAL TERRITORIAL DEBTS in INDIA										-	-	£.	47,725,253	
COMMERCIAL :														
BENGAL :														
Commission due the Agents	-	-	-	-	-	-	-	S ^a R ^e	6,52,817					
Debts due on Sundry Accounts	-	-	-	-	-	-	-	5,35,793						
Arrears of Allowances	-	-	-	-	-	-	-	75,890						
												6,11,683		
												12,64,500		
										Batta, 16 per cent.		2,02,320		
										Current Rupees		14,66,820		
TOTAL COMMERCIAL DEBTS at BENGAL, at 2s. per C ^t R ^e										-	-	£.	146,682	
MADRAS :										-	-	-		
BOMBAY :														
Arrears	-	-	-	-	-	-	-	Rupees	72,721					
TOTAL COMMERCIAL DEBTS at BOMBAY, at 2s. 3d. the Rupee										-	-	£.	8,181	
TOTAL COMMERCIAL DEBTS in INDIA										-	-	£.	154,863	
TOTAL DEBTS in INDIA										-	-	£.	47,880,116	

No. 14—continued.

ANNUAL AMOUNT OF INTEREST ON DEBTS.

	Principal.	Rates of Interest.	Annual Interest.	£.
BENGAL:				
On Loans, &c. - - - - - S ^a R ^a	8,69,42,053	6 per cent.	52,16,523	
Ditto - - - - -	21,15,65,462	5 per cent.	1,05,78,273	
Ditto - - - - -	21,89,567	4 per cent.	87,582	
Fort Marlbro' Loan - - - - -	18,505	10 per cent.	1,850	
On Treasury Notes - - - - -	4,61,600	8 per cent.	36,928	
Ditto - - - - -	7,70,380	5 per cent.	38,519	
Ditto - - - - -	13,13,300	{ at 2 and 2 ½ pice p' cent. p' diem }	62,000	
Deposit Civil Service Annuity Fund - - -	30,25,332	6 per cent.	1,81,520	
Ditto Bhairpore Captured Property - - -	1,95,800	5 per cent.	9,790	
Ditto Deccan Prize Fund - - - - -	4,61,450	5 per cent.	23,072	
S ^a R ^a	30,69,43,449	S ^a R ^a	1,62,36,058	
Batta, 16 per cent. - - -	4,91,10,952	Batta, 16 p' ct	25,97,769	
Current Rupees	35,60,54,401	Curr ^t Rupees	1,88,33,827	
At 2 s. the Current Rupee - £.	35,605,440	At 2 s. the Curr ^t Rupee - £.		1,883,383
MADRAS:				
On Loans, &c. - - - - - Pagodas	44,000	8 per cent.	3,520	
Ditto - - - - -	2,96,498	6 per cent.	17,790	
Ditto - - - - -	15,714	5 per cent.	786	
Ditto - - - - -	90,143	4 per cent.	3,605	
On Deposits - - - - -	11,55,998	8 per cent.	92,480	
Ditto - - - - -	62,83,888	6 per cent.	3,77,033	
Ditto - - - - -	878	5 per cent.	44	
Pagodas	78,87,119	Pagodas	4,95,258	
At 8 s. the Pagoda - - £.	3,154,848	At 8 s. the Pagoda - £.		198,101
BOMBAY:				
On Deposits - - - - - Rupees	19,01,151	8 per cent.	1,52,092	
Ditto - - - - -	20,35,421	6 per cent.	1,22,125	
Ditto - - - - -	10,26,004	4 per cent.	41,040	
	49,62,586	Rupees	3,15,257	
At 2 s. 3 d. the Rupee - - £.	558,291	At 2 s. 3 d. the Rupee - £.		35,496
PRINCE OF WALES ISLAND, &c.:				
On Loan from Individuals - - - - - S ^a R ^a	21,321	5 per cent.	1,066	
On Deposit - - - - -	59,311	6 per cent.	3,559	
S ^a R ^a	80,632	S ^a R ^a	4,625	
Batta, 16 per cent. - - -	12,901	Batta 16 p' ct	740	
Current Rupees	93,533	Curr ^t Rupees	5,365	
At 2 s. the Current Rupee - £.	9,353	At 2 s. the Current Rupee £.		537
Amount bearing Interest - - £.	39,327,932	Annual Interest thereon - £.		2,117,489

East India House,
14 May 1831. }

(Errors excepted.)

JAMES C. MELVILL,

Aud^r of India Acco^{ts}.

No. 15.—Probable Receipts and Disbursements	- BENGAL Government	- - - - -	pp. 62—63
No. 16. - - - - D°	- - - - -	MADRAS Government	- - - - - pp. 70—73
No. 17. - - - - D°	- - - - -	BOMBAY Government	- - - - - pp. 74—79
No. 18. - - - - D°	- - - - -	PRINCE OF WALES ISLAND	- - - - - pp. 80—85

No. 19.—Trade at Bengal, Madras, Bombay, and Prince of Wales Island	- - - - -	p. 86
No. 20.—Amount received for SALES of Import Goods	- - - - -	p. 87
No. 21.—Prime Cost of all CARGOES purchased in India	- - - - -	p. 88

D' - - No. 15.—Abstract ESTIMATE of the Probable Receipts and Disbursements

TO BALANCE:—Amount remaining in the following Departments, on 30th April 1899 :			Sicca Rupees.
CIVIL DEPARTMENT:			
General - - - - -	80,24,184		
Judicial - - - - -	7,06,023		
Revenue - - - - -	1,66,24,913		
Customs - - - - -	1,96,033		
Salt and Opium - - - - -	5,79,159		
	1,74,00,105		
Marine - - - - -	2,695	2,61,33,007	
MILITARY DEPARTMENT - - - - -	- - -	9,90,199	2,71,23,206
ORDINARY RECEIPTS:			
CIVIL DEPARTMENT:			
General:			
Sale of Presents - - - - -	60,000		
Judicial Fees and Fines collected by Resident at Delhi - -	43,000		
Collections on account Neemor, Jubbulpore and Rampore - -	70,000		
Fees on Passports, Government Agency, &c. - - - - -	1,00,000		
Miscellaneous Receipts - - - - -	70,000		
Mints: Duty collected at Presidency - - - - -	2,30,000		
D° - d° - Benares - - - - -	15,000		
D° - d° - Saugore - - - - -	15,000		
	2,60,000		
General Post Office and Subordinates - - - - -	7,52,000		
Stamp Duties at Calcutta, and Lower and Western Provinces -	28,64,000		
House Tax, Collections in Calcutta - - - - -	2,60,000	44,79,000	
Judicial:			
Lower Provinces:			
Duty on Licenses for Sale of Liquors, also Fees, &c. of Justices -	2,80,000		
Court of Requests: Commission and Fees - - - - -	70,000		
Provincial Courts: Fines and Forfeitures - - - - -	2,40,000		
Police: Rent of resumed Thanadaree Lands - - - - -	70,000		
	6,60,000		
Western Provinces: Fines and Forfeitures - - - - -	96,000	7,56,000	
Revenue:			
Lower Provinces:			
Land Revenues on account the Current Year -	2,66,00,000		
Surplus Revenue not included in the Jumma -	4,00,000		
Balances of former Years - - - - -	32,70,000		
Abkaree and Syer - - - - -	25,30,000		
Interest on Arrears of Revenue - - - - -	2,40,000		
Penalties levied for Arrears of Revenue - - - - -	60,000		
Fees, Fines and Forfeitures - - - - -	2,30,000		
	3,33,30,000		
Carried forward - - -	3,33,30,000	52,35,000	2,71,23,206

of the BENGAL Government, from the 1st May 1829 to 30th April 1830 - - - C'.

BY ORDINARY DISBURSEMENTS:				Sicca Rupees.
CIVIL DEPARTMENT:				
General:				
Durbar Charges, Governor General's Office, &c.	-	-	6,09,000	
Embassies to Native Courts	-	-	8,68,000	
Temporary Embassies and Missions, &c.	-	-	8,19,000	
Embassy to Persia	-	-	2,02,000	
			10,21,000	
Salaries of the Governor General and Members of Council	-	-	5,37,000	
Public Offices and Establishments at the Presidency	-	-	34,16,420	
Public Contingencies, including Repairs of Roads	-	-	2,50,000	
Donation to Civil Service Annuity Fund	-	-	3,57,580	
Political Stores received from London, and issued	-	-	2,51,000	
Mint and Assay Offices at the Presidency	-	-	1,83,000	
D° - - d° - - at Benares, up to Nov. 1829	-	-	43,000	
D° - - d° - - at Saugore	-	-	35,000	
			2,61,000	
Defalcation in the Benares Mint	-	-	2,00,000	
Post Office Charges, including Cross Dawks	-	-	7,05,000	
Stamp Office Charges	-	-	6,40,000	
Nizamut Stipends	-	-	18,23,000	
Pensions and Charitable Allowances	-	-	90,000	
			1,10,29,000	
Provincial Battalions, &c.:				
Lower Provinces	-	-	6,40,000	
Western ditto	-	-	8,00,000	
Agra and Delhi Nujeebs	-	-	1,33,000	
Calcutta Native Militia, including Pensions	-	-	1,30,000	
Corps raised for Western Malwa, &c.	-	-	4,57,000	
			21,60,000	
Delhi and Kumavon Judicial and Police Charges	-	-	2,06,000	
			1,33,95,000	
Judicial:				
Lower Provinces:				
Supreme Court of Judicature and Law Charges	-	-	4,66,000	
Justices of the Peace, and Coroner	-	-	2,29,000	
Court of Requests: Salaries, &c.	-	-	97,000	
Sudder Dewanny and Nizamut Adawluts	-	-	5,00,000	
Provincial Courts of Appeal	-	-	4,74,000	
Local Commissioners: Moiety of Salaries, &c.	-	-	2,90,000	
City and Zillah Adawluts	-	-	23,71,000	
Diet of Prisoners	-	-	3,01,000	
Provincial Police	-	-	7,29,000	
Pensions of Hill Chiefs	-	-	36,000	
Repairs of Buildings	-	-	25,000	
			55,18,000	
Western Provinces, including Benares:				
Local Commissioners: Moiety of Salaries, &c.	-	-	2,64,000	
Provincial Courts of Appeal	-	-	2,74,000	
City and Zillah Adawluts	-	-	16,03,000	
Diet of Prisoners	-	-	3,73,000	
Provincial Police	-	-	9,28,000	
Pensions	-	-	6,000	
Repairs of Buildings	-	-	5,000	
			34,53,000	
			89,71,000	
Carried forward	-	-	2,23,66,000	

D' - - - - - No. 15.—Abstract Estimate of the Probable Receipts and

ORDINARY RECEIPTS—continued - - - Brought forward - - -				Sicca Rupees. 2,71,23,206
CIVIL DEPARTMENT—continued - - - Brought forward - - -				52,35,000
Revenue Department—continued - and -	Brought forward -	3,33,30,000		
Western Provinces :				
Land Revenues on account of the Current Year -	3,31,00,000			
D° - - - not included in the Jumna -	5,50,000			
Balances of former Years -	28,00,000			
Abkaree and Syer -	17,30,000			
Interest on Arrears of Revenues and Tuckanee Advances -	50,000			
Penalties levied -	20,000			
Fees, Fines, &c. -	1,50,000			
		3,84,00,000		
Ceded Territories :				
Collections of Land Revenue and Syer -	28,90,000			
Tributes from Rajah of Jaypore, Udeepore, &c. -	15,80,000			
D° - from the Nizam on account Mah-ratta Choute -	1,00,000			
		16,80,000		
Tullubana -	50,000			
		46,20,000		
Burmese Territories :				
Receipts from Tenasserim, embracing Mergui, Tavoy, &c. -	1,40,000			
D° - from Arracan -	2,90,000			
D° - from Assam, &c. -	4,60,000			
		8,90,000		
Customs including Town Duties, &c. : Lower Provinces -				
D° - - - d° - - - Western d° -	30,75,000			
D° - - - d° - - - Ceded Territory -	36,95,000			
	2,90,000			
		70,60,000		
Salt : Balance 30th April 1829 -				
Deduct Amount forfeited under Orders, } 12 June 1829 -	24,71,345			
	7,50,530			
		17,20,815		
Sales from May 1829 to April 1830 -	1,66,84,802			
Deduct probable Balance outstanding -	20,00,000			
		1,46,84,802		
		1,64,05,617		
Salary, Rents, &c. -	2,44,383			
		1,66,50,000		
Opium :				
Balance 30th April 1829 -	24,99,269			
Sale of Behar and Benares Opium -	1,08,32,118			
Deduct probable Balance outstanding -	30,00,000			
		78,32,118		
		1,03,31,387		
Add, Malwah Opium to be sold at Bombay -	48,00,000			
		1,51,31,387		
Miscellaneous Receipts -	18,613			
		1,51,50,000		
		11,61,00,000		
Marine: Sundry Receipts -	3,05,000			
		11,64,05,000		
				12,16,40,000
Carried forward -				14,87,63,206

Disbursements of the BENGAL Government—continued. - - - - - C.

ORDINARY DISBURSEMENTS—continued - and - Brought forward		2,23,66,000	Sicca Rupees.
CIVIL DEPARTMENT—continued.			
Revenue :			
Lower Provinces :			
Members of the Board, and their Establishment - -	3,88,000		
Special Commissioners and Establishment - -	1,70,000		
Local Commissioners and ditto - -	2,90,000		
Charges collecting the Land Revenue and Syer - -	14,68,000		
Poolbundee - - - - -	1,78,000		
Revenue Surveys - - - - -	20,000		
Repairs of Buildings - - - - -	10,000		
Charges, Remittances, Law Charges, &c. - -	1,50,000		
Pensions, including Compensation for Syer abolished -	4,85,000		
	31,59,000		
Western Provinces, including Benares :			
Local Commissioners: Salaries and Establishment -	2,64,000		
Charges collecting the Land Revenue and Syer -	31,53,000		
Revenue Survey - - - - -	1,35,000		
Repairs of Buildings - - - - -	5,000		
Charges, Remittances, Law Charges, &c. - -	70,000		
Pensions and Charitable Allowances - - -	44,12,000		
	80,39,000		
Ceded Provinces :			
Charges collecting the Revenues, Judicial and other } Charges - - - - -	7,97,000		
Revenue refunded on Account Villages of Scindia -	4,40,000		
Repairs of Buildings - - - - -	3,000		
	12,40,000		
Burmese :			
Tenasserim: Charges under this head - - -	2,73,000		
Arracan - - d° - - d° - - - - -	87,000		
	3,60,000		
Customs :			
Lower Provinces: Salaries, Commission, &c. -	5,40,000		
Western d° - - - d° - - d° - - -	4,87,000		
	10,27,000		
Ceded Territory - - d° - - d° - - -	19,000		
Repairs of Buildings - - - - -	24,000		
	10,70,000		
Salt :			
Advances for the manufacture of, including Com- } mission - - - - -	35,77,671		
Convention with French and Danish Governments -	4,18,750		
Presidency Charges, Chowkey Establishments, &c. -	5,05,000		
Salary, Rent, &c. - - - - -	48,579		
	45,50,000		
Opium :			
Behar and Benares Agencies, including Presidency } Charges - - - - -	29,81,000		
Malwa Agency - - - - -	27,64,000		
	57,45,000		
Repairs of Buildings - - - - -	5,000		
	2,41,68,000		
Marine :			
Salaries and Establishments - - - - -	8,04,786		
Marine Surveys - - - - -	25,381		
Pensioners - - - - -	74,654		
Charge on account Steam Vessels - - - - -	1,60,919		
	10,65,740		
Stores from Europe issued - - - - -	1,17,260		
	11,83,000		
MILITARY DEPARTMENT :			
Ordinary and Extraordinary Charges, exclusive of Buildings -	3,53,47,672	4,77,17,000	
Stores from London issued - - - - -	7,16,328		
		3,60,64,000	
Carried forward - - -			8,37,81,000

D' - - - - - No. 15.—Abstract ESTIMATE of the Probable Receipts and

		Brought forward - - - -	Sicca Rupees.
EXTRAORDINARY RECEIPTS:			14,87,63,206
CIVIL DEPARTMENT :			
General :			
Five per cent Loan of 1829-30 - - - -	30,00,000		
Four per cent ditto of 1828-29 - - - -	12,00,000		
Six per cent Remittable Loan - - - -	1,000		
Five per cent Loan, 31st March 1823 - - - -	5,300		
	<u>42,06,300</u>		
Treasury Notes, at various rates of Interest - - - -	46,65,800		
Bills outstanding 30th April 1830 - - - -	1,10,00,000		
Civil Annuity Fund : Subscription, Interest, &c. - -	10,57,850		
Civil and Military Fund - - - -	1,25,000		
Deposits - - - -	60,070		
Lottery Committee - - - -	1,38,030		
Stoppages, on account Leave of Absence - - - -	1,04,000		
Advances to Civil Servants received back - - - -	75,000		
Interest on Bank Shares, &c. - - - -	1,30,000		
Bhurlpore Captured Property - - - -	23,000		
Tributes from Kotah, &c. for payment of Auxiliary } Horse - - - -	7,00,000		
Nizamut Deposit Fund - - - -	1,44,000		
Ava Tribute - - - -	7,95,000		
Bhurlpore State on account War Charges - - - -	3,00,000		
Miscellaneous Receipts - - - -	3,48,050		
	<u>40,00,000</u>		
Account Current, London :		2,38,72,100	
Bills to be drawn on account Interest - - - -	58,00,000		
D° - - - on account Loans - - - -	7,51,300		
D° - - - on account Treasury Notes - - - -	55,200		
D° - - - on account Family Remittances, &c. - -	2,00,000		
Received on account Advances in England to Military } Funds - - - -	2,88,150		
Annuities in England to Retired Civil Servants - -	1,55,000		
Miscellaneous - - - -	1,00,780		
	<u>73,50,430</u>		
Stores from London - - - -	12,67,570	86,18,000	
His Majesty's Government :			
Bills in liquidation of Advances, &c. - - - -	4,50,461		
Bullion received on Account New South Wales - -	2,18,539	6,69,000	
			92,87,000
Carried forward - - - -	- - -	3,31,59,100	14,87,63,206

Disbursements of the BENGAL Government—continued. - - - - - C.

		Sicca Rupees.	
Brought forward - - -		8,37,81,000	
EXTRAORDINARY DISBURSEMENTS:			
CIVIL DEPARTMENT:			
General :			
Interest on the Debt - - - - -	1,65,00,000		
Loans to be paid off; viz.			
Loan at 4 per Cent of 1828-29 - - - - -	8,00,000		
Septennial Loan - - - - -	6,68,292		
Loans from 1811-12 to 1821-22 - - - - -	21,700		
Loan dated 31 March 1823 - - - - -	73,300		
Bonds and Notes ordered for payment - - - - -	13,600		
	15,76,892		
Treasury Notes at various Rates of Interest - - -	42,75,200		
	58,52,092		
Bills outstanding on 30th April 1829 - - - - -	1,20,00,000		
Scindia's Auxiliary Horse, paid out of Tributes per } contra - - - - -	6,50,000		
Civil Fund : Annuitants to be paid in England, &c. -	1,65,413		
Civil and Military Funds - - - - -	1,10,000		
Lottery Committee - - - - -	67,877		
Committee for improving Towns, &c. - - - - -	1,50,000		
Buildings, &c. - - - - -	5,00,000		
Nizamut Deposit Fund - - - - -	1,80,000		
New Mint - - - - -	1,76,000		
Bhurlpore Prize Fund - - - - -	6,00,000		
Deccan - d° - - - - -	7,00,000		
Miscellaneous Charges - - - - -	3,25,618		
	36,24,908		
Account Current, London :			
Bills on account H. M. Government, to be remitted -	4,00,000		
Bill drawn by the Secretary to the Honourable Court -	21,818		
Lord Clive's Fund, &c. - - - - -	50,000		
	4,71,818		
His Majesty's Government :			
Advances to be made - - - - -	5,00,000		
Remitted to New South Wales, and Law } Charges - - - - -	2,18,182		
	7,18,182		
	11,90,000		
SUPPLIES to the COMMERCIAL BRANCH:			
Advances for the Investment, including Indigo -	1,64,66,000		
Duty on Company's Investment, and other Charges -	18,34,000		
	1,83,00,000		
Bills on China - - - - -	7,00,885		
	1,90,00,885		
SUPPLIES to other PRESIDENCIES:			
Fort St. George, Supplies to that Presidency - - -	51,15,308		
Bombay - - - d° - - - d° - - - - -	76,82,500		
Add, Bills drawn on Bengal, not in Bombay Estimate -	12,92,307		
	89,74,807		
Prince of Wales Island, Supplies - - - - -	5,52,000		
Singapore and Malacca, d° - - - - -	10,88,000		
	16,40,000		
St. Helena, Stores, &c. - - - - -	60,000		
	7,39,58,000		
Carried forward - - -	- - -	7,39,58,000	8,37,81,000

D' - - - - - No. 15.—Abstract ESTIMATE of the Probable Receipts and

			Brought forward - - -	Sicca Rupees. 14,87,63,206
EXTRAORDINARY RECEIPTS—continued.				
CIVIL DEPARTMENT:—continued	and	Brought forward	- - -	3,31,59,100
SUPPLIES from the COMMERCIAL BRANCH:				
Sale of Imports, Exports, &c.	- - - - -			6,00,450
SUPPLIES from other PRESIDENCIES, &c.:				
<i>Fort St George:</i>				
Supplies to Bengal	- - - - -	90,50,950		
Deduct Bullion Remittance, not to be received at Bengal	20,00,000			
		70,50,950		
<i>Bombay:</i>				
Supplies to Bengal	- - - - -	26,29,500		
<i>Prince of Wales Island:</i>				
Supplies to Bengal	- - - - -	1,00,000		
<i>St. Helena:</i>				
Supplies to Bengal	- - - - -	30,000		
			98,10,450	
Judicial:				4,35,70,000
<i>Lower Provinces:</i>				
Deposits	- - - - -	43,00,000		
Fauzil Remittances	- - - - -	3,00,000		
		46,00,000		
<i>Western Provinces:</i>				
Deposits	- - - - -	14,00,000		
Fauzil Remittances	- - - - -	80,000		
		14,80,000		
			60,80,000	
<i>Revenue:</i>				
<i>Lower Provinces:</i>				
Deposits	- - - - -	35,00,000		
<i>Western Provinces:</i>				
Deposits	- - - - -	38,00,000		
Tuckavay Advances	- - - - -	3,00,000		
		41,00,000		
		76,00,000		
<i>Ceded Territory:</i>				
Deposits	- - - - -	85,000		
Tuckavay Advances	- - - - -	6,000		
		91,000		
<i>Customs: Deposits</i>				
	- - - - -	1,40,000		
<i>Salt: - D°</i>				
	- - - - -	90,000		
<i>Opium: - D°</i>				
	- - - - -	20,000		
			79,41,000	
<i>Marine: - D°</i>				
	- - - - -		15,000	
				1,40,36,000
			Sicca Rupees - - -	20,63,69,206

East India House,
14th May 1831. }

(Errors excepted.)

Disbursements of the **RENAL** Government—*continued*. - - - - - Cr.

		Brought forward - - -	Sicca Rupees. 8,37,81,000
EXTRAORDINARY DISBURSEMENTS—<i>continued</i>.			
CIVIL DEPARTMENT: General—<i>continued</i> - and - Brought forward		- - -	7,39,58,000
Judicial:			
Lower Provinces:			
Deposits - - - - -	43,00,000		
Fauzil Remittances - - - - -	3,00,000		
Buildings - - - - -	1,00,000	47,00,000	
Western Provinces:			
Deposits - - - - -	15,00,000		
Fauzil Remittances - - - - -	90,000		
Buildings - - - - -	50,000	16,40,000	63,40,000
Revenue:			
Lower Provinces:			
Deposits - - - - -	31,00,000		
Buildings, including Eastern Canal - - - - -	1,65,000	32,65,000	
Western Provinces:			
Deposits - - - - -	40,00,000		
Tuckavee Advances - - - - -	3,25,000		
Buildings - - - - -	10,000	43,35,000	
Ceded Territory:			
Deposits - - - - -	1,20,000		
Tuckavee Advances - - - - -	5,000	1,25,000	
Customs:			
Deposits - - - - -	1,20,000		
Buildings - - - - -	5,000	1,25,000	
Salt:			
Deposits - - - - -	40,000		
Buildings - - - - -	70,000	1,10,000	
Opium:			
Deposits - - - - -	15,000		
Buildings - - - - -	12,000	27,000	79,87,000
Marine:			
Advances to the Master Builder - - - - -			1,73,000
Military:			
Advances for Military Buildings - - - - -			11,70,000
BALANCE:—Amount expected to remain on 30th April 1830 -		- - -	8,96,28,000
			3,29,60,206
		Sicca Rupees - - -	20,63,69,206

JAMES C. MELVILL,
Aud^r of India Acc^{ts}.

D' - - No. 16.—Abstract ESTIMATE of the Probable Receipts and Disbursements

To BALANCE:—Amount remaining in the following Departments, on the 30th April 1829 :						Rupees.
CIVIL DEPARTMENT:						
General	-	-	-	-	95,73,027	
Revenue	-	-	-	-	1,04,51,133	
Marine	-	-	-	-	6,236	
MILITARY DEPARTMENT						2,00,30,396
						10,44,775
						2,10,75,171
ORDINARY RECEIPTS:						
CIVIL DEPARTMENT:						
General :						
Post Office Collections	-	-	-	-	2,78,800	
Stamp Duties	-	-	-	-	4,95,000	
Mint - d°	-	-	-	-	20,000	
Peshcush and Subsidies from Mysore, Travancore and Cochin	-	-	-	-	34,33,111	
Durbar Presents, &c.	-	-	-	-	11,700	
Town Assessment	-	-	-	-	90,000	
						43,28,611
Judicial :						
Receipts in the Provincial and Zillah Courts, &c.	-	-	-	-	-	1,25,300
Revenue :						
Presidency and Subordinates :						
Land Revenues, Current Year	-	-	-	68,20,234		
- - D° - Balances	-	-	-	8,17,246		
Farms and Licenses	-	-	-	8,76,206		
Customs	-	-	-	17,27,729		
						1,02,41,415
Ceded and Conquered Provinces :						
Land Revenues, Current Year	-	-	-	2,36,29,766		
- - D° - Balances	-	-	-	12,12,754		
Farms and Licenses	-	-	-	20,24,047		
Customs	-	-	-	35,75,839		
						3,04,42,406
Salt : Receipts from the Sale of	-	-	-	35,86,742		
Tobacco Monopoly	-	-	-	7,36,000		
Extra Revenue	-	-	-	250,000		
						4,52,56,563
Marine :						
Expected Receipts, Presidency and Subordinates	-	-	-	-	-	68,000
						4,97,78,474
EXTRAORDINARY RECEIPTS:						
CIVIL DEPARTMENT:						
General :						
Four-per-cent Paper, issuable on account Petty Claims on the } Carnatic	-	-	-	-	48,200	
Deposits	-	-	-	-	5,49,000	
Funds of Public Institutions	-	-	-	-	14,70,000	
Carnatic Deposit	-	-	-	-	13,44,500	
Amount recoverable on account Advances for the Payment of } Debts of the late Nabob	-	-	-	-	4,06,500	
Miscellaneous	-	-	-	-	1,21,000	
Account Current, London :						39,39,200
Bills to be drawn	-	-	-	20,20,000		
Stores to be received from England	-	-	-	11,53,600		
His Majesty's Government at Ceylon	-	-	-	63,000		
Probable Advances in England, on account Carnatic } Fund	-	-	-	8,07,200		
Miscellaneous	-	-	-	7,13,300		
						47,57,100
Carried forward - - - Rupees						86,96,300
						7,08,53,645

of the MADRAS Government, from the 1st May 1829 to 30th April 1830 - - - - C'.

ORDINARY DISBURSEMENTS:				Rupees.
CIVIL DEPARTMENT:				
General :				
Salaries of the Governor and Members of Council	-	-	-	2,70,700
Derbar Charges, and Governor's Office and Establishment	-	-	-	3,63,960
Salaries and Establishments at the Presidency and Subordinates	-	-	-	16,20,070
Allowance to Officers of His Majesty's Squadron	-	-	-	80,600
Repairs of Buildings	-	-	-	1,47,500
Superintendent of Stamps	-	-	-	87,000
STIPENDS and ALLOWANCES :				
Pensions at the Presidency and Subordinates	-	-	1,91,700	
Nabob of the Carnatic	-	-	12,00,160	
Families and Officers of the late Nabob	-	-	5,35,010	
Rajah of Tanjore	-	-	10,24,300	
Nabob of Masulipatam	-	-	51,170	
Families of Hyder Ally and Tippoo Sultaun	-	-	6,25,000	
Contributions to Public and Charitable Institutions	-	-	2,28,740	
Hospital and Vaccine Establishments	-	-	1,01,500	
Amount of Stationery to be received from England	-	-	-	39,57,580
				83,320
				66,10,730
Judicial :				
Supreme Court of Judicature and Law Officers	-	-	-	3,55,190
Police Charges at the Presidency	-	-	-	71,400
Court of Sudder and Fouzdarry Adawlut	-	-	-	2,69,785
Judicial and Police Establishments in the Provinces	-	-	-	25,65,095
				32,61,470
Revenue :				
Board of Revenue and Officers at the Presidency	-	3,33,760		
Charges Collection at the Presidency and Subordinates		7,35,534		
- - D° - - in the Ceded and Conquered Provinces	-	-		10,69,294
Customs : Charges Collection	-	-	-	35,77,608
Salt Monopoly	-	-	-	3,95,860
Tobacco D°	-	-	-	6,76,311
Pensions and Charitable Allowances	-	-	-	2,46,730
Rajah's Share of Revenue in Malabar	-	-	-	9,73,122
				2,63,185
				72,02,110
Marine :				
Salaries, Establishments, &c. at Presidency	-	-	-	1,78,300
D° - - d° - - at Subordinates	-	-	-	34,000
				2,12,300
MILITARY DEPARTMENT:				
Pay and Allowances { King's Troops	-	-	26,51,300	
{ Company's D°	-	-	1,64,91,800	
General Staff and Military Offices	-	-	-	1,91,43,100
Ordnance, Medical, and Camp Equipage Departments	-	-	-	15,96,600
Commissariat	-	-	-	16,17,700
Arrears of Charges Military	-	-	-	32,46,900
Contingencies	-	-	-	2,40,000
Repairs of Buildings	-	-	-	14,72,000
Special Pensions and Gratuities	-	-	-	1,11,600
Supplies of Military Stores to be received from England	-	-	-	3,89,300
				10,68,070
Deduct :				
Miscellaneous Credits	-	-	-	2,88,85,270
				9,00,000
				2,79,85,270
				4,52,71,880
Carried forward				Rupees 4,52,71,880

Disbursements of the MADRAS Government—continued. - - - - - Cr.

EXTRAORDINARY DISBURSEMENTS:		Brought forward - - -	Rapeca 4,52,71,880
CIVIL DEPARTMENT:			
General:			
Payment of Interest on Loans, Deposits, &c.	17,72,300		
Promissory Notes on account the Nabob of the Carnatic, to be discharged	3,99,000		
Amount payable in discharge Principal and Interest of Petty Claims on the Carnatic	2,10,000		
Deposits and Funds Public Institutions, repayable	15,05,700		
Government of Mysore	60,700		
Carnatic Deposit	11,90,000		
D ^o - Commissioners	1,10,900		
Civil Buildings	50,000		
Charges Merchandize on Treasure	34,400		
Mint Bullion Certificates	34,500		
Miscellaneous	6,43,300		
Deduct:	60,10,800		
Miscellaneous Credits	11,000		
ACCOUNT CURRENT, LONDON:		59,99,800	
Miscellaneous Disbursements		2,15,000	
SUPPLIES to other PRESIDENCIES:			
Bengal:			
Probable Remittance to Bengal Presidency	30,00,000		
Interest on Securities	33,25,000		
Drafts of Government at Fort Cornwallis	5,00,000		
Advances to Commissioner on Tenasserim Coast, on account of Bengal	4,00,000		
Amount of Public Securities of Supreme Government, to be discharged by Bills on England	10,650		
Deccan Prize Money, chargeable to Bengal	7,62,000		
Residency of Hyderabad	1,58,000		
D ^o - Nagpore	84,000		
Payments on account of French Government	4,26,000		
Miscellaneous	3,85,300		
	90,50,950		
Bombay:			
Supplies from Malabar Coast	42,90,000		
Probable amount of Field Charges and Commissariat			
Supplies to Madras Troops serving in Southern Mahratta Country	5,16,980		
Miscellaneous	1,30,000		
	49,36,980		
SUPPLIES to COMMERCIAL BRANCH:		1,39,87,930	
Advances for Investment and Miscellaneous		16,00,000	
Revenue:			
Deposits	47,00,000		
Advances for Tuckavy Salt, &c.	11,36,940		
Miscellaneous	47,450		
	11,84,390		
Deduct:	58,84,390		
Miscellaneous Credits	14,86,180		
	43,98,210		
MILITARY DEPARTMENT:		2,62,00,940	
Payment of Off-Reckonings	1,29,950		
Deposits of the Military Department	60,000		
Erection of Buildings	1,57,000		
Tenasserim Coast	2,32,400		
Fort Cornwallis	2,08,450		
Miscellaneous	15,300		
Deduct:	8,03,100		
Credits	50,000		
	7,53,100		
Expected BALANCE, 30th April 1830			2,69,54,040
			1,85,40,333
		Rupees	9,07,75,253

JAMES C. MELVILL,
Aud^r India Acco^{ts}.

D' - - No. 17.—Abstract ESTIMATE of the Probable Receipts and Disbursements

To BALANCE :—Amount remaining in the following Departments on the 30th April 1829 :						Rupees.
CIVIL DEPARTMENT:						
General -	-	-	-	-	77,08,814	
Revenue -	-	-	-	-	57,26,718	
Marine -	-	-	-	-	1,46,328	
						1,35,81,860
MILITARY DEPARTMENT						21,10,033
						1,56,91,893
ORDINARY RECEIPTS:						
CIVIL DEPARTMENT:						
General :						
Sale of Presents -	-	-	-	-	13,400	
Post Office Collections -	-	-	-	-	1,12,600	
Mint Duties -	-	-	-	-	36,800	
Stamp Duties -	-	-	-	-	3,52,000	
						5,14,800
Judicial :						
Bombay County Fund -	-	-	-	-	60,200	
Fines and Fees at Provincial Courts -	-	-	-	-	39,100	
						99,300
Revenue :						
Land Revenue and Sayer at the Presidency -	-	-	-	1,26,600		
D° - - d° - at Subordinates -	-	-	-	22,81,500		
D° - - d° - in Ceded and Conquered Provinces	-	-	-	1,62,46,800		
						1,86,54,900
Customs :						
Collection of Duties at the Presidency and Subordinates	-	-	-	17,78,900		
D° - in Ceded and Conquered Provinces -	-	-	-	23,19,100		
						40,98,000
						2,27,52,900
Salt : may be received from the Sale of, including Duty -	-	-	-	-	1,83,900	
Marine : Hire of Dry Docks, Mooring Chains, &c. -	-	-	-	-	1,45,900	
						2,36,96,800
EXTRAORDINARY RECEIPTS:						
CIVIL DEPARTMENT:						
General :						
Bills of Exchange payable -	-	-	-	-	1,30,000	
Roads and Wheel Tax -	-	-	-	-	44,500	
Funds of Public Institutions, and other Deposits -	-	-	-	-	12,97,200	
Guicowar State, for the Maintenance of Mulhar Row, Canjee Row, &c.	-	-	-	-	15,000	
On Account, Advance to the Family of the late Khamoolooden } Hussan Khan -	-	-	-	-	10,000	
						14,96,700
Supplies from London :						
Bills on the Court -	-	-	-	-	11,00,000	
Advances in England to be recovered -	-	-	-	-	1,85,100	
Sundry Receipts here, repayable in London -	-	-	-	-	6,400	
Political Stores may be received -	-	-	-	-	11,11,800	
						24,03,300
Carried forward -	-	-	-	-	Rupees	24,03,300
						14,96,700
						3,93,88,693

of the BOMBAY Government, from the 1st May 1829 to 30th April 1830. - - - C.

ORDINARY DISBURSEMENTS:

CIVIL DEPARTMENT:

General:

Salaries to the Governor and Council	- - - - -	3,40,200
Public Offices and Establishments at the Presidency	- - - - -	8,90,020
D° - - - - d° - - - at Subordinates	- - - - -	9,95,280
Durbar Charges	- - - - -	83,600
Post Office Charges	- - - - -	1,59,500
Mint - d°	- - - - -	2,61,360
Ecclesiastical Department	- - - - -	2,22,600
Public Contingencies	- - - - -	5,75,400
Repairs of Roads and Bridges	- - - - -	1,63,600
Pensions and Charitable Allowances	- - - - -	5,61,000

42,52,560
1,83,400

Stamps: Charges Collecting

Judicial:

Supreme Court of Judicature and Establishment	- - - - -	3,24,100
Bombay County Fund	- - - - -	1,28,140
Sadder and Foudarry Adawluts	- - - - -	2,11,200
Provincial Courts	- - - - -	18,10,200

24,73,640

Revenue:

Charges of Collection at Bombay	- - - - -	20,700
D° - - - d° - - - Subordinates	- - - - -	2,59,100
D° - - - d° in Ceded and Conquered Provinces	- - - - -	19,31,400
Allowances to Zemindars, and other Village Officers	- - - - -	16,75,900
Pensions and Charitable Allowances	- - - - -	8,71,200
D° - to Bajee Row and Chimnaje Appah	- - - - -	13,28,200
Stipends to the Nawaub of Surat and Officers of his Court	- - - - -	1,12,700

60,99,200

Customs:

Charges of Collection at the Presidency	- - - - -	1,40,700
D° - - - d° - - - Subordinates	- - - - -	59,700
D° - - - d° in Ceded and Conquered Provinces	- - - - -	73,700

2,74,100

63,73,300

Marine:

Office Establishment and Charges	- - - - -	1,62,400
Charges of Cruizers and Vessels, including Arrears	- - - - -	6,11,900
Marine Charges, including Arrears	- - - - -	3,07,800
Pattamar, Luggage, and other Boats	- - - - -	33,600
Surat Cruizers and Charges	- - - - -	27,000
Charges on account Dry Docks and Mooring Chains	- - - - -	26,100
D° - - - - Marine Yards	- - - - -	36,400
D° - - - - Marine Stores	- - - - -	18,000
D° - - - - Marine Stores from England	- - - - -	1,96,900

14,20,100

MILITARY DEPARTMENT:

Pay and Allowances to King's Troops	- - - - -	16,35,400
D° - - - d° - - - Company's Troops	- - - - -	76,14,000
Baroda Subsidiary Force	- - - - -	18,80,000
Poonah Auxiliary Force	- - - - -	2,45,000
General, Division, Medical, and Garrison Staffs	- - - - -	17,40,000
Contingencies	- - - - -	18,00,000
Repairs to Fortifications and Buildings	- - - - -	3,30,000
Military Stores from England	- - - - -	6,57,300
Field Charges and Commissariat Supplies to Madras Troops in } Southern Mahratta Country	- - - - -	4,66,200

1,63,67,900

3,10,70,900

Carried forward - - - Rupees

3,10,70,900

D' - - - - - No. 17.—Abstract ESTIMATE of the Probable Receipts and

		Brought forward - - -		Rupees.
EXTRAORDINARY RECEIPTS— <i>continued</i> .				3,93,88,693
CIVIL DEPARTMENT— <i>continued</i> - and - Brought forward -		24,03,300	14,96,700	
SUPPLIES from other PRESIDENCIES:				
<i>Bengal:</i>				
Four-per-cent Loan of 1828-29, and Exchange - - -	21,100			
Sale of Opium expected from Malwah - - -	60,63,000			
Disbursements on account this Presidency - - -	14,58,200			
Consignment of Stores - - - - -	23,700			
Bills on the Supreme Governments - - - - -	4,200			
Drafts on account of Interest - - - - -	96,400			
Biltoor Bills - - - - -	14,900			
		76,81,500		
<i>Fort St. George:</i>				
Specie and Bullion may be received - - -	35,00,000			
Disbursements on account this Presidency - - -	2,84,000			
Amount may be received on account Madras Civil Fund	4,500			
Field Charges may be incurred on account of the Madras } Troops employed in the Southern Mahratta Country }	4,66,200			
		42,54,700		
His Majesty's Government: Disbursements at Ceylon on account } this Presidency - - - - - }		500		
Prince of Wales Island: Disbursements on account this Presidency		500		
St. Helena: - - - - - D° - d° - - -		500		
Cape of Good Hope: - - - - - D° - d° - - -		1,000		
SUPPLIES from the COMMERCIAL BRANCH:				
Amount may be received into the General and Subordinate Treasuries		41,900		
Judicial:			1,43,83,900	
Sale of Piece Goods manufactured by Prisoners in Gaol - - -			20,600	
Revenue:				
Sundry Receipts - - - - -			69,600	
Customs:				
Sale of seized Goods - - - - -		500		
Deposits on account Sea Customs and Town Duties - - -		67,000		
			67,500	
Marine:				
Sundry Receipts - - - - -			22,000	
MILITARY DEPARTMENT:				
Sale of Stores - - - - -	5,52,600			
Deduct Purchase - - - - -	3,73,800			
		1,78,800		
Bazar Collections - - - - -		45,000		
Amount may be received from the Cutch Government - - -		2,00,000		
Miscellaneous - - - - -		35,000		
			4,58,800	
				1,65,19,100
				Rupees - - - 5,59,07,793

Disbursements of the BOMBAY Government—continued. - - - - - C'.

		Rupees.	
EXTRAORDINARY DISBURSEMENTS:		Brought forward - - - -	3,10,70,900
CIVIL DEPARTMENT:			
General: Interest on Deposits - - - - -	1,80,600		
Notes advertised for Payment, but not demanded - - - - -	7,600		
Treasury Notes may be discharged - - - - -	1,03,600		
Bill payable - - - - -	30,500		
Interest on Prize-money expected to be distributed - - - - -	2,39,200		
Enamdars - - - - -	7,85,100		
May be issued on account Funds of Public Institutions, Lotteries } and Deposits - - - - -	9,32,600		
May be issued on account Prize Funds - - - - -	11,88,100		
Sundry Political Charges - - - - -	56,500		
Exchange - - - - -	61,400		
Buildings and Purchase of Dead Stock - - - - -	3,72,600		
SUPPLIES to LONDON:		39,57,800	
Out-Pensioners of the Royal Hospital at Chelsea - - - - -	4,000		
Contingencies - - - - -	600		
SUPPLIES to other PRESIDENCIES:		4,600	
Bengal:			
Interest on Loans - - - - -	14,64,000		
Bills on account that Presidency - - - - -	3,00,000		
Disbursements - d° - - including Pensions - - - - -	1,39,400		
Charges and Establishment of the Opium Agent's Office - - - - -	84,900		
Advances and Supplies on account H. M. Government - - - - -	1,67,000		
Deccan Prize Money expected to be distributed - - - - -	4,00,000		
Commission to Bengal - - - - -	72,600		
Fort St. George:	26,27,900		
Advances to the Military Paymaster in the Carnatic - - - - -	23,00,000		
Other Disbursements in the Civil, Military and Marine } Departments, on account this Presidency - - - - -	4,84,800		
His Majesty's Government:	27,84,800		
Disbursements at the Mauritius, on account of this Presidency - - - - -	4,220		
St. Helena: Disbursements on account this Presidency - - - - -	1,600		
SUPPLIES to COMMERCIAL BRANCH:			
May be advanced for the Purchase of Investments and Duty ex- } pected to be levied thereon - - - - -	16,84,800		
Judicial:		71,03,320	
Advances for the Purchase of Raw Materials to be supplied to } Prisoners in Gaol for the Manufacture of Piece Goods - - - - -	44,700		
Expected Charges on account Judicial Buildings and Dead Stock - - - - -	18,500		
Revenue:		63,200	
Charges on account Surveys - - - - -	1,73,700		
D° - - - - New Buildings and Dead Stock - - - - -	38,000		
Tuckavee - - - - -	60,000		
Military Troops - - - - -	25,000		
Thasras Ghans Danah - - - - -	12,500		
Deposits - - - - -	33,000		
Muslut Kureh - - - - -	53,300		
Jagheerdar Lassoer - - - - -	1,100		
Advances on account of clothing Peons - - - - -	10,500		
Customs:		4,07,100	
Dead Stock and Buildings - - - - -	- - -	700	
Marine: Wages to Workmen in the employ of Navy and Merchants - - - - -	6,000		
Compensation to Commanders in lieu of Freight - - - - -	11,300		
Building Vessels for Bombay Marine - - - - -	35,000		
Timber, Purchase of, including Charges in Malabar - - - - -	3,25,000		
Purchase of Stores - - - - -	1,25,000		
Deduct Sale - - - - -	1,09,400		
	15,600		
Purchase of Steam Vessels and Charges on account of - - - - -	1,00,000		
Marine Buildings - - - - -	9,900		
MILITARY DEPARTMENT:		5,02,800	
Off-Reckonings - - - - -	2,70,000		
Passage of Invalids - - - - -	76,700		
Loss by Exchange in paying Troops - - - - -	3,10,000		
Dead Stock - - - - -	3,60,000		
		10,16,700	
BALANCE:—Amount expected to remain in the several Departments on the 30th April 1830 - - - - -			1,30,56,220
			1,17,80,673
		Rupees - - -	5,59,07,793

Disbursements in the Commercial Departments at BOMBAY, in 1829/30. Cr.

ORDINARY DISBURSEMENTS:

Commercial Charges :

Export Warehouse Department :

Salaries and Establishments - - - - - 79,055

Subordinates: Salaries and Establishments - - - - - 1,31,611

Rupees.

2,10,666

DUTIES on INVESTMENTS :

Export Warehouse-keeper - - - - - 65,000

Surat Commercial Resident - - - - - 40,810

1,05,810

EXTRAORDINARY DISBURSEMENTS :

Charges on Merchandize :

Export Warehouse Department :

Charges on Cotton Investments, &c. - - - - - 44,000

Estimated Charges on account Commercial Buildings - - - - - 10,000

Surat :

Charges on Cotton Investments, &c. - - - - - 2,16,700

2,70,700

Investments :

Surat :

Purchase of Cotton for China - - - - - 14,05,077

Rupees - - - 19,92,253

JAMES C. MELVILL,
Aud' of India Acco^{ts}.

D^r - No. 18.—Abstract ESTIMATE of the Probable Receipts and Disbursements at PRINCE of

										Rupees.	Rupees.
TO BALANCES on 1st May 1829:											
Prince of Wales Island	-	-	-	-	-	-	-	-	-	44,959	
Singapore	-	-	-	-	-	-	-	-	-	1,69,295	
Malacca	-	-	-	-	-	-	-	-	-	33,235	
											2,47,489
TO RECEIPTS:											
ORDINARY:											
PRINCE OF WALES ISLAND:											
Revenues arising from Opium and other Farms	-	-	-	-	-	-	-	-	-	2,12,202	
SINGAPORE:											
Revenues arising from Opium and other Farms	-	-	-	-	-	-	-	-	-	1,09,207	
MALACCA:											
Revenues arising from Opium and other Farms	-	-	-	-	-	-	-	-	-	57,064	
											3,78,474
EXTRAORDINARY:											
PRINCE OF WALES ISLAND:											
Post-office Collections	-	-	-	-	-	-	-	-	-	2,000	
Fees and Fines from Court of Judicature, Court of Requests	-	-	-	-	-	-	-	-	-	45,500	
Fees on Port Clearances, &c.	-	-	-	-	-	-	-	-	-	3,000	
Sale of Stores	-	-	-	-	-	-	-	-	-	7,000	
Government Press, &c.	-	-	-	-	-	-	-	-	-	17,500	
Native Pension Fund	-	-	-	-	-	-	-	-	-	1,800	
										76,800	
SINGAPORE:											
Fees and Fines from Court of Judicature, Court of Requests, &c.	-	-	-	-	-	-	-	-	-	20,184	
MALACCA:											
Fees and Fines from the Court of Judicature, &c.	-	-	-	-	-	-	-	-	-	5,000	
Advances for the purchase of Rice, &c.	-	-	-	-	-	-	-	-	-	3,934	
										8,934	
											1,05,918
Carried forward										Rupees	7,31,881

WALES ISLAND, SINGAPORE and MALACCA, from 1 May 1829 to 30 April 1830 - C'.

BY DISBURSEMENTS:				Ruppes.
ORDINARY:				
PRINCE OF WALES ISLAND:				
GENERAL:				
Governor and Member of Council	-	-	90,810	
Council House Establishment	-	-	14,290	
Pay and Allowances of Civil Servants, &c.	-	-	79,476	
Civil Establishments, &c.	-	-	39,942	
Clerical and Medical Departments	-	-	33,308	
Pensions and Allowances	-	-	18,110	
			2,75,936	
JUDICIAL:				
Recorder and Court Establishment	-	-	86,654	
Sheriff's Establishment, &c.	-	-	10,128	
Court of Requests and Law Officers	-	-	12,552	
Police Establishment	-	-	26,590	
			1,35,924	
MARINE:				
Master Attendant and Marine Establishment	-	-	58,831	
				4,70,691
MILITARY:				
Military Secretary and Engineer's Department, &c.	-	-	17,520	
Commissary General, Ordnance Department, &c.	-	-	27,366	
				44,886
SINGAPORE:				
GENERAL:				
Resident Councillor, Deputy, and two Assistants	-	-	67,105	
Civil Establishment, &c.	-	-	28,836	
Clerical and Medical Departments	-	-	22,563	
Pensions and Allowances	-	-	42,829	
Convict Establishment	-	-	8,827	
			1,70,160	
JUDICIAL:				
Court of Judicature	-	-	10,947	
Sheriff's Office and Coroner	-	-	7,055	
Police and Court of Requests	-	-	13,467	
Magistrate's Clerk	-	-	6,000	
			37,469	
MARINE:				
Master Attendant, Boats and Cruizers	-	-	13,721	
				2,21,350
MILITARY:				
Staff of the Residency	-	-	-	14,902
MALACCA:				
GENERAL:				
Resident Councillor, Deputy and Assistants	-	-	60,144	
Civil Establishments, &c.	-	-	26,122	
Clerical and Medical Departments	-	-	9,730	
Pensions and Allowances	-	-	11,506	
Expense of Convicts	-	-	1,737	
			1,09,239	
JUDICIAL:				
Court of Judicature	-	-	10,960	
Sheriff's Office and Coroner	-	-	5,513	
Court of Requests, &c.	-	-	6,240	
Police	-	-	12,379	
			35,092	
MARINE:				
Master Attendant and Marine Establishment	-	-	10,419	
				1,54,750
MILITARY:				
Cantonment Staff, Magazine Department, &c.	-	-	-	15,576
				9,22,155
Carried forward	-	-	-	9,22,155

D' - - - - No. 18.—Abstract ESTIMATE of the Probable Receipts and Disbursements at

Brought forward - - - - S ^r R ^e	7,31,881
Carried forward - - - S ^r R ^e	7,31,881

PRINCE OF WALES ISLAND, SINGAPORE and MALACCA—continued. - - - - C.

TOTAL ORDINARY DISBURSEMENTS - - Brought forward - - - -				Sicca Ropces.
				9,22,155
EXTRAORDINARY DISBURSEMENTS.				
PRINCE OF WALES ISLAND :				
CIVIL :				
Contingencies in the several Departments - - -	48,000			
D° - - on account Public Works - - -	45,000			
Deposits claimable - - - - -	2,947			
Purchase of Stores - - - - -	66,000			
Civil Annuity Fund, with Interest - - -	20,000			
		1,81,947		
MILITARY :				
Contingencies - - - - -		7,000		
			1,88,947	
SINGAPORE :				
CIVIL :				
Contingencies in the several Departments - - -	8,493			
D° - on account Public Works and Repairs - -	49,000			
Advances for the purchase of Supplies - - -	2,105			
		59,598		
MILITARY :				
Contingencies - - - - -		7,000		
			66,598	
MALACCA :				
CIVIL :				
Contingencies on account Public Works and Repairs, &c.	29,992			
Purchase of Supplies - - - - -	1,000			
Native Pension Fund - - - - -	1,497			
Proprietors of Land taken by Government - -	12,000			
Disbursements on account of Penang - - -	4,143			
		48,632		
MILITARY :				
Contingencies - - - - -		1,750		
			50,382	
GENERAL CHARGES of PRINCE of WALES ISLAND, SINGAPORE and MALACCA :				
Travelling and Contingent Charges of the Governor, &c. while on Circuit - - - - -		12,000		
Travelling and Contingent Charges of the Recorder and Court Establishments - - - - -		6,000		
Freight of Vessels on Circuit - - - - -		12,000		
			30,000	
				3,35,927
TOTAL DISBURSEMENTS at the Three Settlements carried forward - - S ^a R ^a				12,58,082

D^r - - - - - No. 18.—Abstract ESTIMATE of the Probable Receipts and

Brought forward - - -		Sicca Rupees.
		7,31,881
RECEIPTS on ACCOUNT OF OTHER PRESIDENCIES:		
PRINCE OF WALES ISLAND:		
<i>Bengal:</i>		
Amount expected to be received for hire of Convicts - - - - -		2,000
BALANCE:		
Excess of Expenditure, for which Amount Bills are expected to be drawn upon the Supreme and } Madras Governments - - - - - }		11,84,999
Sicca Rupees - - -		19,18,180

East-India House, }
14th May 1831. }

(Errors excepted.)

Disbursements on account of other PRESIDENCIES, for 1829/30 - - - - - Cr.

TOTAL DISBURSEMENTS at the Three Settlements - - Brought forward - -		Sicca Rupees. 12,58,082
DISBURSEMENTS on Account of other PRESIDENCIES :		
PRINCE OF WALES ISLAND :		
<i>Bengal :</i>		
Pensions - - - - -	4,623	Rupees.
Pay of Bengal Officers doing duty here - - -	5,975	
Advances for Company's Vessels - - - -	15,000	
Expense of Convicts - - - - -	66,000	
Interest on the Bengal 5 per Cent Loan - - -	30,000	
	1,21,598	
<i>Madras :</i>		
Expenses on account of Troops - - - - -	3,26,000	
<i>Bombay :</i>		
Expected Advances on account Marine - - - -	15,000	
<i>London :</i>		
Charter Party Allowance to the Hon. Company's Ships, &c. -	5,000	
	4,67,598	
SINGAPORE :		
<i>Bengal :</i>		
Expenses on account of Convicts and Contingencies - - -	15,414	
<i>Madras :</i>		
Expenses on account Madras Troops - - - -	96,000	
D° - - d° - Madras Convicts - - - -	10,700	
	1,06,700	
<i>Bombay :</i>		
Expenses on account of Convicts - - - - -	4,490	
	1,26,604	
MALACCA :		
<i>Bengal :</i>		
Expenses on account of Convicts - - - - -	10,000	
<i>Madras :</i>		
Expenses on account of Madras Troops - - - -	53,000	
<i>Java :</i>		
Pensions on account Netherland's Government - - - -	4,896	
	67,896	
	6,62,098	
	Sicca Rupees - - -	19,18,180

· JAMES C. MELVILL,

Aud^r of India Acco^{ts}.

No. 19.

AN ACCOUNT of the Annual Charges defrayed by the East India Company, for the Management of their Trade and Commerce in BENGAL, MADRAS, BOMBAY and PRINCE OF WALES ISLAND; also, an Account of the Factory Charges at CANTON, for Three Years; according to the latest Advices :—With an ESTIMATE of the same for the succeeding Year.

	1826/27.	1827/28.	1828/29.	Per Estimate. 1829/30.
BENGAL:				
Charges at the Presidency and Subordinates - - C ^t R ^s	20,06,352	18,12,524	18,82,722	19,00,532
At 2s. the Current Rupee - - - £. St ^s	200,635	181,252	188,272	190,053
MADRAS:				
Charges at the Presidency and Subordinates - - Pag ^s	45,598	57,672	73,881	59,050
At 8s. the Pagoda - - - - £. St ^s	18,239	23,068	29,552	23,620
BOMBAY:				
Charges at the Presidency and Subordinates - - Rup ^s	1,92,662	3,73,358	2,23,164	3,43,502
At 2s. 3d. the Rupee - - - - £. St ^s	21,607	42,003	25,106	38,644
PRINCE OF WALES ISLAND:				
Charges at the Presidency - - - Current Rupees	6,633	2,711	—	—
At 2s. the Current Rupee - - - £. St ^s	663	271	—	—
CANTON:				
Charges at the Factory - - - - - Tales	218,786	194,602	1,84,491	2,09,892
At 6s. 8d. the Tale - - - - £. St ^s	72,929	64,867	61,497	69,964
TOTAL - - - £. St^s	314,073	311,461	304,427	322,281

(Errors Excepted.)

East India House, }
14th May 1831. }

JAMES C. MELVILL,
Aud^r of India Acco^{ts}.

No. 20.

AN ACCOUNT of the Amount received at the several Presidencies of FORT WILLIAM, FORT ST. GEORGE, BOMBAY, and at PRINCE OF WALES ISLAND, for Sales of Import Goods, for Three Years; according to the latest Advices:—With an ESTIMATE of the same for the succeeding Year.

	1826/27.	1827/28.	1828/29.	Per Estimate. 1829/30.
BENGAL - - - - - Current Rupees	1,98,765	2,44,645	3,34,189	2,59,199
At 2 s. the Current Rupee - - - £.	19,877	24,465	33,419	25,920
MADRAS - - - - - Pagodas	34,847	24,000	21,608	26,818
At 8 s. the Pagoda - - - £.	13,939	9,600	8,643	10,727
BOMBAY - - - - - Rupees	3,19,214	1,93,257	91,596	41,700
At 2 s. 3 d. the Rupee - - - £.	35,912	21,741	10,304	4,691
PRINCE OF WALES ISLAND - - Current Rupees	10,218	15,358	—	—
At 2 s. the Current Rupee - - - £.	1,022	1,538	—	—
TOTAL - - £. Sts	70,750	57,342	52,366	41,338

(Errors Excepted.)

East India House, }
14th May 1831. }

JAMES C. MELVILL,
Aud^r of India Acco^{ts}.

No. 21.

AN ACCOUNT of the PRIME COST of all CARGOES purchased by the
EAST INDIA COMPANY in INDIA, and shipped for EUROPE, for Three Years;
according to the latest Advices.

		1826/27.	1827/28.	1828/29.
BENGAL	- - - - - Current Rupees	1,70,89,029	2,02,79,572	1,62,98,791
	At 2 s. the Current Rupee - - £.	1,708,903	2,027,957	1,629,879
MADRAS	- - - - - Pagodas	285,052	477,033	585,413
	At 8 s. the Pagoda - - - £.	114,021	190,813	234,165
BOMBAY	- - - - - Rupees	—	—	—
	At 2 s. 3 d. the Rupee - - £.	—	—	—
TOTAL - - £. St ^r		1,822,924	2,218,770	1,864,044

(Errors excepted.)

East India House, }
14th May 1831. }

JAMES C. MELVILL,

Aud^r of India Acco^{ts}.

N E W S O U T H W A L E S, &c.

(CROWN LANDS AND EMIGRATION.)

RETURN to an Address to His MAJESTY, dated 14 September 1831;—for,

COPIES of the ROYAL INSTRUCTIONS to the GOVERNORS of *New South Wales*,
Van Diemen's Land, and *Western Australia*, as to the Mode to be adopted
in DISPOSING of CROWN LANDS; together with such Parts of any Despatches
addressed to them as relate to the same Subject, or to the Means by which
EMIGRATION may be facilitated.

Colonial Department,
Downing-street,
October 1831.

HOWICK.

Ordered, by The House of Commons, to be Printed,
13 October 1831.

SCHEDULE.

No.	Page.
1.—EXTRACT from the Royal Instructions to the Governors of <i>New South Wales, Van Diemen's Land, and Western Australia</i> - - - - -	3
2.—COPY of a Despatch from Viscount <i>Goderich</i> to the Governor of <i>New South Wales</i> ; dated 9 January 1831 - - - - -	6
3.—COPY of a Despatch from Viscount <i>Goderich</i> to the Governor of <i>New South Wales</i> ; dated 23 January 1831 - - - - -	8
4.—COPY of a Despatch from Viscount <i>Goderich</i> to the Governor of <i>New South Wales</i> ; dated 14 February 1831 - - - - -	10
5.—COPY of a Despatch from Viscount <i>Goderich</i> to the Governor of <i>New South Wales</i> ; dated 9 July 1831 - - - - -	13
6.—COPY of a Despatch from Viscount <i>Goderich</i> to the Governor of <i>New South Wales</i> ; dated 10 July 1831 - - - - -	14
7.—COPY of a Despatch from Viscount <i>Goderich</i> to the Governor of <i>New South Wales</i> ; dated 28 September 1831 (4 Enclosures) - - - - -	14
8.—COPY of a Despatch from Viscount <i>Goderich</i> to the Governor of <i>New South Wales</i> ; dated 12 October 1831 (4 Enclosures, including two Reports from the Commissioners for Emigration, dated 10 October and 24 September 1831) - - - - -	19
9.—REPORT of the Commissioners for Emigration to Viscount <i>Goderich</i> ; dated 20 July 1831, and referred to in Enclosure No. 2 of No. 8 - - - - -	25
10.—EXTRACT of a Despatch from Viscount <i>Goderich</i> to the Governor of <i>Western Australia</i> ; dated 28 April 1831, (2 Enclosures) - - - - -	29
11.—EXTRACT of a Despatch from Viscount <i>Goderich</i> to the Governor of <i>Western Australia</i> ; dated 28 April 1831, (3 Enclosures) - - - - -	32

Note.—The Despatches to the Governors of *New South Wales* and *Van Diemen's Land* being similar, only those addressed to the Governor of *New South Wales* are herewith presented.

NEW SOUTH WALES.

COPIES of the ROYAL INSTRUCTIONS to the GOVERNORS of *New South Wales*, *Van Diemen's Land* and *Western Australia*, as to the mode to be adopted in DISPOSING of CROWN LANDS; together with such parts of any Despatches addressed to them as relate to the same Subject, or to the Means by which EMIGRATION may be facilitated.

No. 1.

EXTRACT from the Royal Instructions to the Governors of *New South Wales*, *Van Diemen's Land* and *Swan River*.

18th.—AND whereas We have in and by the said Commission authorized and empowered you, with the advice and consent of Our Executive Council of Our said Territory of _____, to divide Our said Territory and its Dependencies into Districts, Counties, Hundreds, Towns, Townships and Parishes, and to appoint the limits thereof respectively, and to agree for such lands, tenements and hereditaments as shall be in Our power to dispose of, and them to grant to any person or persons upon such terms and services and acknowledgments, to be thereupon reserved unto Us, according to such Instructions as shall be given to you under Our Sign Manual: Now We do hereby authorize and require you to cause a survey to be made in manner hereinafter mentioned, of all the lands within Our said territory; and it is Our pleasure that you do issue Instructions to the Surveyor-General for the time being of our said territory to divide and apportion the whole of the said territory into counties, each of which shall contain, as nearly as may be, 40 miles square, and to apportion each county into hundreds; of which each hundred shall, as nearly as may be, comprize an area of 100 square miles, and again to subdivide each hundred into parishes, of which each parish shall, as nearly as may be, comprize an area of 25 square miles; and you are to instruct the said Surveyor-General that in making the division aforesaid of Our said territory into counties, hundreds and parishes, he do have regard to all such natural divisions thereof as may be formed by rivers, streams, highlands or otherwise; and that whenever, in order to obtain a clear and well defined natural boundary of any county, hundred or parish, it shall be necessary to include therein a greater or smaller quantity of land than is hereinbefore mentioned, he, the said Surveyor-General, do make such deviations from the prescribed dimensions of such county, hundred or parish as may be necessary for obtaining such natural boundary, provided that no such county, hundred or parish shall in any case exceed or fall short of the dimensions before prescribed, to the extent of more than one-third part of such dimensions.

19th.—And it is Our pleasure, that that part of Our said territory of _____, which hath hitherto been surveyed and divided, shall be comprized in such new survey as aforesaid: Provided nevertheless, that in case it should appear to you with the advice of Our said Executive Council, that such new division as aforesaid of such last-mentioned part of Our said territory into counties, hundreds and parishes is for any cause impracticable or inexpedient, you shall suspend the execution of these Our Instructions in reference to that portion of Our said territory until you shall have communicated unto Us, through one of Our principal Secretaries of State, the nature of such obstacle, and shall have received Our further directions in relation thereto.

20th.—You are further to require the said Surveyor-General, from time to time, to make to you Reports setting forth the progress which he has made in the
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before-mentioned survey of Our said territory, specifying therein the limits of each county, hundred and parish, which he has surveyed and apportioned; and you are to require him to annex to such his written Reports, charts or maps of every such county, hundred and parish.

21st.—And it is Our pleasure, that when any such Report of the said Surveyor-General as aforesaid shall be finally approved by you with the advice of your said Council, the same shall be deposited among the Public Records of the said territory; and that an exact transcript thereof shall be deposited in the office of the Surveyor-General of Our said territory, and another transcript thereof shall be transmitted to Us through one of Our principal Secretaries of State.

22d.—And for the better guidance of the said Surveyor-General in the execution of the duty so to be committed to him, you will, with the advice of the said Executive Council, issue to him such instructions as may from time to time become necessary.

23d.—And it is Our will and pleasure, and We do hereby specially authorize and empower you, in Our name, from time to time to issue under the Public Seal of Our said territory, Letters Patent for erecting into counties, hundreds and parishes such districts as may in manner aforesaid be selected for that purpose by the said Surveyor-General, in and by any Reports so to be made by him and approved by you, and all such Letters Patent so to be issued by you in Our name shall be enrolled among the Public Records of the said territory and shall be of Record; and the issuing of any such Letters Patent shall by you be made known to all Our loving subjects within Our said territory by Proclamations, to be by you from time to time published for that purpose in the most usual and public manner.

24th.—And We do further authorize and require you in and by any such Letters Patent as aforesaid, in Our name and on Our behalf, to grant to Our loving subjects resident within any such county, hundred or parish all such franchises, immunities, rights and privileges whatsoever, as, consistently with the circumstances, situation, laws and usages of Our territory of may be properly granted to such Our loving subjects in that behalf, provided that such franchises, immunities, rights and privileges shall, as far as the circumstances of the said territory may admit, be such as are and of right may be claimed, held and enjoyed and exercised by Our subjects inhabiting and residing in any county, hundred or parish in that part of Our United Kingdom of Great Britain and Ireland called England, and not otherwise.

25th.—And it is Our pleasure, and We do further direct you to require and authorize the said Surveyor-General further to report to you what particular lands it may be proper to reserve in each county, hundred and parish so to be surveyed by him as aforesaid for Public Roads and other internal communications, whether by land or water, or as the sites of towns, villages, churches, school-houses or parsonage-houses; or as places for the interment of the dead; or as places for the future extension of any existing towns or villages; or as places fit to be set apart for recreation and amusement of the inhabitants of any town or village, or for promoting the health of such inhabitants; or as the sites of quays or landing places, which it may at any future time be expedient to erect, form or establish on the sea coast, or in the neighbourhood of navigable streams, or which it may be desirable to reserve for any other purpose of public convenience, utility, health or enjoyment; and you are specially to require the said Surveyor-General to specify in his Reports, and to distinguish in the charts or maps to be subjoined to those Reports such tracts, pieces or parcels of land in each county, hundred and parish within Our said territory, as may appear to him best adapted to answer and promote the several public purposes before mentioned; and it is Our will, and We do strictly enjoin and require you, that you do not on any account, or on any pretence whatsoever grant, convey or demise to any person or persons any of the lands so specified as fit to be reserved as aforesaid, nor permit or suffer any such lands to be occupied by any private person for any private purposes: Provided nevertheless, and We do hereby authorize you to grant to any person or persons, as occasion may require, any lots of land as the sites of houses or other buildings to be by them erected in any town or place within Our said territory, with such small portions of land as may be fit to grant as appurtenant to any such town allotments, and to be holden and enjoyed therewith; any thing hereinbefore contained to the contrary notwithstanding.

26th.—And it is Our pleasure that all the waste and uncleared lands within Our said territory, which shall remain after making such reservations as before mentioned for the public service, shall be granted in Our name and in Our behalf to private persons willing to effect settlements thereupon, and subject nevertheless to the several rules and conditions hereinafter particularly mentioned.

27th.—And We do require that, from time to time, and when and so soon as the said Surveyor-General shall have made any Report, which being so approved as aforesaid, shall state the limits of the lands in any parish to be erected in Our said territory, you do by proclamation in the Public Gazette of Our said territory or otherwise, may be most convenient, make known to all Our subjects, that the lands in any such parish are to be disposed of to the intent that all persons may know that the same will be sold according to the regulations hereinafter described.

28th.—And you are to cause Lists of all the Parishes in which lands may remain for sale, with Charts showing the limits of such lands, to be publicly exhibited in the office of the Surveyor-General of which being first done, you shall cause such lands to be put up to sale by public auction from time to time as you shall judge proper; and no such lands shall be sold until the said charts shall have been so published and exhibited in the office of the said Surveyor-General during three calendar months; and the highest bidding which shall at such public auction be made for any such lands shall be accepted, provided that such bidding shall at least amount to the price of 5s. an acre: Provided nevertheless, that no such bidding shall be finally accepted until the person or persons making the same shall have actually paid a deposit of 10 per cent. on the amount thereof, and shall have signed a contract for the payment of the balance within one calendar month next thereafter.

29th.—And to secure uniformity in all applications to be made for the purchase of such lands, you are to cause printed forms of such applications to be prepared and delivered at the office of the said Surveyor-General to any person making application for the same, on payment of a fee of two shillings and sixpence, and no more; and such applications shall be received in such written forms as aforesaid, and in none other.

30th.—And it is Our pleasure, that all grants of land to be made by you in Our name to any person or persons in consideration of the payment of money for the same, shall be made to such person or persons, and his her or their heirs and assigns, to be by him her or them held in fee and common soccage, yielding and paying to Us, Our heirs and successors, a quit-rent of one peppercorn by the year for the same; and every such grant shall pass in Our name under the public seal of and shall be executed and delivered to the purchaser or purchasers at the office of the Colonial Secretary of Our said territory on the payment of the purchase-money for the same, and not before, and then and not before the purchaser or purchasers shall be let into the possession of the land so bought by them; and for the delivery of every such grant, and the preparing the same, the said Colonial Secretary shall be entitled to charge a fee amounting to forty shillings sterling money, and no more, or of such smaller amount as you from time to time, with the advice of the Executive Council of shall appoint; and every such grant shall, previously to its being so delivered, be enrolled amongst the Public Records of the said territory; and the officer who may be charged with this duty shall, for making every such enrolment, be entitled to receive from such grantees or grantee a fee of five shillings sterling money, and no more.

31st.—And it is Our will that such lands as aforesaid shall be put up to sale in lots comprising six hundred and forty acres, as nearly as may be, unless in any particular cases it shall seem fit to you, for any special reasons to you appearing, to put up such lands for sale in a smaller quantity.

32d.—And to prevent uncertainty and confusion respecting the lots of land thus offered for sale, you are to require the said Surveyor-General to prepare Charts of each parish, with division lines by which the whole of every such parish will be divided into lots of six hundred and forty acres each; and you are further to cause the said Surveyor-General to annex schedules to such charts, in which he shall point out and describe the natural or artificial land-marks corresponding with the division lines on every such chart; and every such lot of six

hundred and forty acres shall also be described in the chart of the parish by a numerical mark; and all offers of such lands shall be made, and all such grants of land as aforesaid effected, in reference to the public chart of the parish in which such lands are situate.

—No. 2.—

DESPATCH from Viscount *Goderich* to Lieutenant-General *Darling*,
&c. &c. &c.

SIR,

Downing-street, 9th January 1831.

MY attention has lately been drawn to the present system of granting land in the Colony over which you preside, in consequence of finding, on my assuming the seals of this Department, that answers had not been returned to your last Despatches upon this point; and the conclusion to which I have come, after a careful investigation of the subject, and after considering the various documents relating to it in this office, is, first, that the Regulations now in force have not had the intended effect of preventing large tracts of land from being appropriated by persons unable to improve and cultivate them; and, secondly, that they are founded upon an erroneous view of the true interest both of the Colony and of the Mother Country.

The comparative Return of the quantities of Land granted, cleared and cultivated, affords the most decisive proof how little the Regulation, requiring cultivation, has been attended to. This result does not surprise me, nor do I think it implies any want of activity on the part of those whose duty it is to enforce compliance with the condition referred to. The term cultivation is so vague, the amount of capital required to be expended is so small, and the difficulty is so great of resuming a grant after seven years, (until the expiration of which no right of interference exists), that I am inclined to believe that any serious attempt generally to act up to the Regulations, would be odious and invidious in the extreme, and at last fail to surmount the obstacles with which it must necessarily be met. But though the existing Regulations have not prevented grants of land from being obtained for other purposes than the legitimate one of occupation and cultivation, there is no doubt that they must have been the cause of no trifling inconvenience (from the restrictions imposed on the transfer of land, and from the necessity of proving the possession of a certain capital) to those who *bonâ fide* entertained such intentions. The Government they have placed in the disagreeable situation of either suffering Regulations they have sanctioned to become a dead letter, or of interfering in a manner which must necessarily have the appearance of being arbitrary and capricious, from the impossibility of laying down any positive rule or defining exactly the required degree of cultivation.

The scheme of deriving a Revenue from quit-rents, seems to me also to be condemned both by reason and experience. The difficulty and expenses of collecting them cannot be expected to diminish while the great bulk of the land on which they are due continues unimproved; and when it shall be cultivated, the increase of population and wealth, which such a state of things supposes, will render the Revenue to be derived from so small a tax as two-pence an acre, of trifling importance and easily to be supplied from other sources.

There is also another and very strong objection to the existing system, viz. the suspicion to which it unavoidably exposes the Colonial authorities of improper partiality to individuals. I am sure you must have found the impossibility of giving satisfaction to all the applicants for land and reconciling contending interests, and that you will gladly be relieved from the irksome and ungracious task of endeavouring to do so.

In calling your attention to the second question which I proposed; namely, whether or not (supposing them to have been as effectual as could be desired) the existing Regulations were founded on correct views of the true interest of the Mother Country and of the Colonies; I must in the first place observe, that I conceive these views to have been directed chiefly to promote the greatest possible extension of cultivation, and the emigration of persons possessed of more or less capital. Considering Emigration as a means of relieving the Mother Country, it is quite clear that no such relief can possibly be afforded by the mere removal of

capitalists,

capitalists, that it is the Emigration of the unemployed British Labourers which would be of real and essential service, while I think it also appears that this would be the most useful class of Emigrants even as regards the Colony, from the extreme difficulty which is now complained of in obtaining labourers, and the competition for the service of convicts, together with the glut which so frequently takes place of agricultural produce at the price at which, under the present system, it can be afforded. The latter circumstance seems likewise to prove that a mere extension of cultivation is much less desirable than is generally supposed. Wheat, it appears, is sometimes at so high a price as 14s. 9d. a bushel in Sydney, a price which even in this country would be deemed extravagant. Indeed I believe the average price of wheat in Sydney market would be found equal to that which it bears in Great Britain, and yet the want of demand for their produce is, to the Colonists, a subject of loud and frequent complaint. These two apparently inconsistent evils, of a high price and a want of demand, lead me to believe that cultivation has been too widely extended, and that it would have been more for the interests of the Colony if the settlers, instead of spreading themselves over so great an extent of territory, had rather applied themselves to the more effectual improvement and cultivation of a narrower surface. With concert and mutual assistance, the result of the same labour would probably have been a greater amount of produce, and the cost of transporting it to market would have been a less heavy item in the total cost of production. A different course however has been pursued, chiefly, as it appears, owing to the extreme facility of acquiring land, by which every man has been encouraged to become a proprietor, producing what he can by his own unassisted efforts. If these views be correct, what is now required is to check this extreme facility and to encourage the formation of a class of labourers for hire, as the only means of creating a market for the agricultural produce of the Colony, of effecting various improvements, and of prosecuting the many branches of industry which are now neglected, while, at the same time, by enabling the agriculturalist to apply the great principle of the division of labour, his produce will be increased and afforded at a more reasonable rate.

To carry these views into full effect would perhaps require greater alterations than can at present conveniently be adopted. Something has, however, been already done by the alteration of the law which renders indentures entered into by labourers more binding than they have heretofore been, thereby holding out some additional inducement to those possessed of the means, to assist in defraying the expense of their Emigration.

Another and important advance towards a better system may, I think, be made by a measure, simple and easy in itself, and which will at the same time have much more effect in preventing the occupation of land by persons unable or unwilling to improve it, than the present complicated and, in practice, nugatory regulations. The measure to which I allude, is that of declaring that in future no land whatever shall be disposed of otherwise than by sale, a minimum price (say five shillings an acre) being fixed, but this price not to be accepted until upon proper notice it shall appear that no one is prepared to offer more, the highest bidder being in all cases entitled to the preference; ten per cent. on the whole of the purchase money to be paid down at the time of sale, and the remainder at an early period after the sale and previous to possession being granted. This last regulation I conceive to be of great importance, and it ought uniformly to be adhered to. When land was formerly disposed of by sale, the plan seems to have failed in consequence of the long credit which was given.

Such is the general object of the Regulations which I hope shortly to be enabled to send out to you in more detail, and authorized by His Majesty's signature. In the meantime I should wish you to suspend all further grants of land, excepting to persons to whom you may already have made positive promises, and to those who may have received from this office the printed Regulations hitherto in force and have proceeded to the Colony on the faith of obtaining land accordingly. To immediate sales of land upon the principle I have laid down I do not object, if they can conveniently be effected before you receive more particular instructions.

I am, &c.

(signed) *Goderich.*

— No. 3. —

DESPATCH from Viscount *Goderich* to Lieut. General *Darling*,
&c. &c. &c.

SIR,

Downing-street, 23d January 1831.

PROPOSITIONS have recently been made to His Majesty's Government, with the view of calling their attention to the importance of endeavouring to relieve the distress prevailing amongst the agricultural labourers of the South of England, by enabling parishes to remove to the Colonies those who are without employment.

New South Wales might, it is represented, receive with advantage a considerable number of such Emigrants; and in case the Government should decide to adopt any such plan, I think it material that you should take the subject into your immediate consideration.

The points to be more particularly looked to, relate to the means which the Colony may possess of contributing something towards defraying the expense of the voyage. Should the parishes now burthened by a greater number of labourers than they can employ seek to relieve themselves in the manner contemplated, their object will naturally be to do so on the easiest terms they can, and they will, therefore, rather direct their Emigrants to North America, than to the Australian Colonies. The latter will consequently lose what would be to them an advantage of the greatest importance, unless means can be devised of making up to the parishes for the increased expense resulting from a longer voyage.

In considering the best means of providing the necessary funds for this purpose, it has occurred that recourse might be had to a tax upon the labour of convicts; to an extension of the sale of land; and to advances which might be obtained from such settlers as might desire to secure, for a limited time, the services of the Emigrants.

A tax upon the labour of convicts is suggested (in the Report herewith transmitted to you) by the Commissioners appointed by His Majesty to inquire into the Revenue and Expenditure of the Colonies. The tax proposed by them is only 10 s. a year for each assigned convict, and was intended merely for general purposes, without reference to the object I have now in view. That object is, however, one to which it seems there would be a peculiar propriety in applying the revenue to be derived from such a tax, if it is to be imposed; nor do I see any reason against doing so, or even against making it heavier than the Commissioners have proposed.

The deficiency of free labourers, and the consequent high rate of wages, gives to those who are able to obtain the services of convicts, a great advantage over their fellow-settlers; and the natural consequence has been loud complaints from those who have not participated in this advantage. I believe that no degree of caution on your part could possibly have silenced these complaints. However impartially you may have distributed the convicts you have had to assign, it is scarcely to be expected that those whose claims have been rejected, should acknowledge the propriety of your decision; and I therefore think any measure which goes to diminish the extreme eagerness of the competition which now takes place for the services of convicts, would tend to relieve you from a disagreeable and irksome duty. To this end both the tax and the manner of applying its produce, would contribute; by the former, the labour of convicts would be rendered less cheap to their employers; by the latter, the supply of free labour would be increased, and wages consequently lowered; so that the advantage to be derived from the employment of the one class in preference to the other, would thus be doubly diminished.

The amount of the tax should be as high as possible without preventing the Colonists from continuing to employ the convicts; it will be for yourself, with the assistance of the Council, to determine what this rate shall be, and also to arrange the various questions of detail which will arise, such as whether the payments should be uniform, or vary according to the occupations and acquirements of the individuals, and whether the plan should apply (which I am inclined to think it ought not) to females.

I have therefore to request that, upon receiving this Despatch, you will lose no time in proposing this subject to the consideration of the Council, and I trust you will find no difficulty in devising an advantageous mode of executing the measure which

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which I have now suggested, and which I think might prove highly beneficial to the Colony, even if it should not form part of an extensive plan of Emigration.

I have no means of estimating what might be the probable produce of such a tax, as I am not in a situation to judge of the rate at which it should be fixed, nor can I discover from any documents in this office the precise number of assigned convicts. The number of 9,278, which is obtained by deducting those maintained by the Government from the total return of male convicts, is, I conclude, the number of those who are either in the enjoyment of tickets of leave or in the situation of assigned servants; what proportion these two classes bear to each other I have not been able to ascertain, as the Returns only give the number assigned or having received tickets of leave in each year, without stating the number of deaths or of those who have obtained their freedom. I should wish that this defect should be remedied in the next annual returns. In requesting from you this additional information I do not however by any means intend to exclude from the consideration of yourself and the Council the propriety of extending the tax on convicts to those having tickets of leave, on the contrary, I am inclined to believe that it would be proper to do so; it seems desirable that there should be more difference than at present exists between their situation and that of free labourers.

The next source from which it has been supposed that a fund might be raised for the purpose of promoting Emigration, is from an extended sale of land. I have some doubts, however, whether any increase of revenue is likely, for a considerable period, to be thus obtained, and also whether it would be necessary for this purpose under present circumstances; I rather look to it as a resource which will hereafter become available for the purpose of maintaining free labourers, should so large a number be sent out as to make it difficult to obtain employment for them. In that case they would be thrown on the Government, and might be employed at moderate wages in improving the Crown Lands intended for sale, the increased value of which would, in some degree at least, defray the expense they would occasion. This is, however, a state of things of which there is at most but a remote prospect. It is much more likely that, even should a large number of emigrant labourers arrive, there would be an active competition for their services, and that consequently some assistance towards paying the expense of their passage might, as I have already suggested, be obtained, by requiring them to enter into indentures to serve for a limited time those willing to make such advances. The information I have received from various sources induces me to believe that such an arrangement might be practicable, particularly a letter I have seen from a respectable settler in Van Diemen's Land, stating his own readiness and that of thirty of his fellow-settlers to pay a large proportion of the expense of conveying labourers and their families from England. On this subject I should wish you, without loss of time, to collect all the information it may be possible for you to obtain, as to the number of Emigrants who might be thus disposed of, the proportion of the expense of their passage which their employers might be willing to take upon themselves, and the terms which they would consequently expect.

I think that labourers might either hire themselves for a stated time, not more than seven years, at fixed wages; or that they might receive the ordinary wages of the Colony, subject to a deduction not exceeding one-fourth of their amount, until the advance, with interest, should have been discharged. It will be for you to consider and report to me upon the respective advantages of these or any other modes of effecting the object in view.

There is also another means of inducing the present occupants of land to assist in promoting this object, and that is, by making an abatement from the quit-rents which are due from them, in proportion to the number of persons whom they may have enabled to reach the Colony.

Some years ago an arrangement of this kind was made with the Van Diemen's Land Company, by which they were permitted to carry out fifty persons, an allowance being made towards the redemption of their quit-rent of 20*l.* for every woman, and 16*l.* for every man, whom they might thus convey. This indulgence was not extended, because Colonel Arthur represented that if the Company were to receive it, others would expect the same, and that almost every settler would be glad to redeem his quit-rent on the same terms. At that time great importance was attached to the plan of deriving a revenue from quit-rents, but the expectations of being enabled to do so have been disappointed.

I think, therefore, that though the collection of the quit-rents which are due

should certainly be enforced, it is desirable that their redemption should be encouraged, both with a view to getting rid of the expense of collecting them, and in order to introduce uniformity in the tenure by which land is held. Perhaps there is no method by which this redemption could be effected with so much advantage to the public, and with so little inconvenience to individuals, as by adopting some such arrangement as I have now suggested.

Before closing this Despatch, I have only to add, that it is not to be understood as an intimation that any positive measure has actually been resolved upon by His Majesty's servants; but merely as conveying to you some suggestions upon a most important subject, in order to bring under your immediate consideration the practicability, in the present situation of the Colony which is committed to your charge, of taking steps which may at all events do much to encourage individuals in their efforts to promote Emigration; and, at the same time, be of the utmost use as preparations, in the possible event of your being called upon to concur in the execution of a measure of the kind I have described, which the Government of this country may have decided to adopt, but on which the time required for communicating with you may have prevented their consulting you.

I am, &c.

(signed)

Goderich.

—No. 4.—

DESPATCH from Viscount *Goderich* to Lieutenant-General *Darling*,
&c. &c. &c.

SIR,

Downing-street, 14th February 1831.

I HAVE the honour of transmitting to you His Majesty's Instructions on the subject of my Despatch of the 9th ultimo, together with copies of the printed terms which have in consequence been issued for the information of persons intending to become Settlers, and of the General Order which has been promulgated to the Army in reference to Military Officers. I take the opportunity of adding what further observations seem to be requisite, in order to enable you fully to understand the views which have led to the change of policy which will be thus carried into effect.

The first point to which I shall call your attention, is the omission of that part of your former Instructions by which you were required to reserve one-seventh of the Crown Lands in each hundred and county, for the purpose of maintaining the Church and School Establishment.

This change has been made in compliance with the recommendation contained in the Report of the Commissioners of Inquiry already transmitted to you. The reasons they have assigned for this recommendation sufficiently prove the propriety of adopting it; I may add that as these lands, in their present state, are of little or no value, and any they may in future possess must be derived from the industry of the owners of the adjoining lands, any income to be derived from them for public purposes must in fact, like every other branch of the revenue, be a tax on the industry and capital of the Colonist. It comes therefore simply to be a question, whether it is the best means of raising the sum which is required, a question on which there cannot be a doubt, when it is remembered that, while they cause a very serious inconvenience to the Settlers, these reserves at the present moment do not even pay the expense of management; that the whole cost of the Church Establishment is defrayed out of the ordinary revenue; and that therefore the effect of the system is to lay a heavy tax on the Colony at the present moment, with a view to a future exemption from taxation. The policy of the proposed change is to afford an immediate relief, and to trust for the means of meeting the future expense of the Church Establishment to the same sources from which it is at present defrayed, and which will of course become more productive as the Colony advances in wealth and population: if that advance is promoted, as there is every reason to believe, by the sale of the lands hitherto reserved, they will by that means at least as effectually contribute to the relief of the revenue hereafter as if they were retained in the hands of those by whom they are now managed.

The next subject to which I have to refer, is the manner in which Naval and Military

Vide No. 1 p. 3.
20 January 1831.
Enclosure (A.)
Dated 24 Feb. 1831.
Vide Enclosure in
No. 10.

Military Officers are to receive the advantages which it has been deemed right to afford them, in order to encourage their emigration.

It is obvious that grants cannot be made to any without entirely destroying the principle which I have been most anxious to establish, of all lands being indiscriminately offered for public competition; I therefore propose that, whenever it is wished to favour either officers or individuals who have claims from the public services, it should be done not by making them grants of land, but by remitting a certain sum from the price of that which they may purchase. The general order which accompanies this Despatch has been framed accordingly.

It has been deemed right to discontinue the discretionary power which has hitherto been possessed, of refusing to individuals, under peculiar circumstances, the power of acquiring land. There might be very good reasons for withholding grants from persons of objectionable character, but these do not, it appears to me, apply when the question is whether they should be permitted to purchase; indeed I know not how such persons can give better security that they will not make an improper use of the wealth they may acquire than by converting it into land. I mention this in order to prevent the possibility of your misunderstanding that part of the printed terms delivered from this Office, in which persons wishing to purchase are directed to *apply for* such portions of land as they may select. This is retained not to deprive those of the power of purchasing who may neglect to make such applications, but because it is supposed you may possibly avoid the inconvenience of exposing to sale land for which there is no demand, by knowing beforehand what is required. All regulations of detail as to the time and mode of sale, are for the consideration of yourself and the Council.

It is perhaps too much to expect that some difficulty should not at first be experienced in carrying into effect the proposed change of policy, such is almost always the case when a long established system, however faulty it may have been, is abandoned; I am therefore quite prepared to hear from you that it may for a time be impossible to effect sales of land, and of loud complaints from those who are desirous of obtaining grants. Representations will doubtless be made, that the value fixed upon land is too high; that large tracts are necessary for grazing; that a great hardship is inflicted upon those whose applications have been too late; and that some warning ought to have been given of the proposed change. This last objection is perhaps plausible, but upon consideration is clearly without any real force, as it is obvious that any long warning of the change of system would in fact be to postpone its operation for an indefinite period, from the number of grants which would be previously obtained.

With respect to the price which has been fixed upon land, it will, I doubt not, be thought extravagant by those who have been accustomed to obtain it, practically speaking, for nothing. Were the price not higher than that which it has hitherto been attempted to realize, it would not effect one of the chief objects in view, a great restriction of the extreme facility of acquiring land which now exists. This is absolutely essential for the purpose of checking the dispersion of Settlers, to which is mainly to be attributed the heavy expense, in proportion to the population, of every branch of the Colonial Establishment. Every facility which can be afforded to those who are engaged in rearing cattle, consistently with the attainment of this object, will be given, by continuing the practice of letting to the best bidder the lands which cannot be sold; it being however clearly understood that such lands are only to be let from year to year, and that if applied for they are to be exposed to sale according to the rules already laid down.

I have, in a former Despatch, fully explained to you the reasons which have induced His Majesty's Government rather to trust to the interest of purchasers to secure their cultivating the land they may acquire, than to any regulations requiring them to do so and preventing its alienation; it becomes, however, a question of some difficulty, what course is to be followed with regard to those to whom land has been already granted under such conditions. It is obvious, that if they are now allowed to dispose of it, they will obtain an advantage never contemplated at the time their grants were made; on the other hand, if prevented from doing so they may be unable to improve it, while until the expiration of seven years from the date of their grants their neglect would give to the Government no right to interfere, and it would therefore remain unproductive to the Colony. Under these circumstances, a middle course perhaps will be the best, and I should wish you to consult your Council on the expediency of giving up the enforcement of the conditions referred to, and substituting for them a small

tax on all uncultivated land; permitting, at the same time, the holders to dispose of it (notwithstanding the engagement they are under to the contrary) on the payment of a fine.

With respect to the arrears of quit-rents, I think it is a necessary consequence of the New Regulations that all claims to indulgence with regard to them should cease, and that those who have acquired their land on terms so much more favourable than will in future be granted, should at least be required to abide by the bargain they have made.

The same principle will apply to the instalments due on the lands purchased during the administration of Sir Thomas Brisbane, for the postponement of which a Memorial from the parties interested was transmitted in your Despatch of the 28th of May 1828, and which request appears to have been already refused by Majesty's late Government.

I am, &c.

(signed) *Goderich.*

(Enclosure in No. 4.)

TERMS upon which the Crown Lands will be disposed of in New South Wales and Van Diemen's Land.

IT has been determined by His Majesty's Government, that no land shall in future be disposed of in New South Wales or Van Diemen's Land otherwise than by Public Sale, and it has therefore been deemed expedient to prepare, for the information of Settlers, the following Summary of the Rules which it has been thought fit to lay down for regulating the Sales of Land in those Colonies.

- 1.—A division of the whole territory into counties, hundreds and parishes, is in progress. When that division shall be completed, each parish will comprise an area of about twenty-five square miles.
- 2.—All the lands in the Colony, not hitherto granted, and not appropriated for public purposes, will be put up to sale. The price will of course depend upon the quality of the land, and its total situation; but no land will be sold below the rate of five shillings per acre.
- 3.—All persons proposing to purchase lands not advertised for sale, must transmit a written application to the Governor, in a certain prescribed form, which will be delivered at the Surveyor-General's office to all persons applying, on payment of the requisite fee of two shillings and sixpence.
- 4.—Those persons who are desirous of purchasing will be allowed to select, within certain defined limits, such portions of land as they may wish to acquire in that manner. These portions of land will be advertised for sale for three calendar months, and will then be sold to the highest bidder, provided that such bidding shall at least amount to the price fixed by Article 2.
- 5.—A deposit of 10 per cent. upon the whole value of the purchase must be paid down at the time of sale, and the remainder must be paid within one calendar month from the day of sale, previous to which the purchaser will not be put in possession of the land; and in case of payment not being made within the prescribed period, the sale will be considered void, and the deposit forfeited.
- 6.—On payment of the money, a grant will be made in fee-simple to the purchaser at the nominal quit-rent of a pepper-corn. Previous to the delivery of such grant, a fee of forty shillings will be payable to the Colonial Secretary for preparing the grant, and another fee of five shillings to the Registrar of the Supreme Court for enrolling it.
- 7.—The land will generally be put up to sale in lots of one square mile, or 640 acres; but smaller lots than 640 acres may, under particular circumstances, be purchased, on making application to the Governor in writing, with full explanations of the reasons for which the parties wish to purchase a smaller quantity.
- 8.—The Crown reserves to itself the right of making and constructing such roads and bridges as may be necessary for public purposes in all lands purchased as above, and also to such indigenous timber, stone and other materials, the produce of the land, as may be required for making and keeping the said roads and bridges in repair, and for any other public works. The Crown further reserves to itself all mines of precious metals.

Colonial Office,
20th January 1831.

—No. 5.—

DESPATCH from Viscount *Goderich* to Major-General *Bourke*,
&c. &c. &c.

SIR,

Downing-street, 9th July 1831.

IN my Despatch of the 23d of January last, I adverted to certain arrangements which were in the contemplation of His Majesty's Government, for promoting the Emigration to the British Possessions of agricultural labourers, and of other persons to whom it was considered desirable to afford assistance in seeking in the Colonies the means of profitable employment which they are unable to find at home.

In conformity with these arrangements His Majesty has been pleased to appoint a Commission, the objects of which will be found to be explained in the accompanying Paper, which has been issued for the information of the Public.

The preparatory measures which General Darling was instructed by my Despatch above-mentioned to adopt, will, it is conceived, prevent any inconvenience from arising, should any Emigrants arrive sooner than was expected; but I deem it advisable, in addition to the precaution which I then adopted, to direct the immediate appointment of some Officer of the Colonial Government to superintend the disposal of all Emigrants of this description on their reaching the Colony. The person whom I consider the fittest to be entrusted with this duty, (not being prepared to authorize any distinct or separate appointment for that purpose,) is the officer upon whom devolves the responsibility of assigning the prisoners of the Crown upon their arrival. He must obviously be well acquainted with the wants of the Settlers in respect to labour, and consequently able to point out to the Emigrant the quarter to which he should apply with a view to obtain employment. In order, however, that he may at all times be prepared with the best information upon this point, you will instruct him to take the proper steps for ascertaining the extent of the demand, so that in whatever number the Emigrants may arrive, they may have none of those difficulties to encounter which might follow from the neglect of such a practice.

I am, &c.

(signed) *Goderich.*

(Enclosure in No. 5.)

Colonial Office, 8th July 1831.

IN order to prevent misconception, the Commissioners for Emigration, appointed by His Majesty on the 24th June 1831, hereby inform persons wishing to emigrate to His Majesty's Possessions abroad, that no funds have been placed by the Lords Commissioners of His Majesty's Treasury at their disposal for defraying the expense of conveying Emigrants to those possessions.

The Commissioners have, however, received instructions, that in the event of inhabitants of parishes subscribing to raise funds, or individuals providing funds for that purpose, they are, at the request of the parties, and on conditions which will be stated in printed forms to be had at this office, to undertake the application of the funds so raised, and through the proper departments of Government, to contract with ship-owners and other persons for the passage of Emigrants, and for their provisions during the voyage to such Colonies as the persons raising the funds may select for their destination. Emigrants so proceeding will further be placed in communication with authorized agents in the Colonies, from whom they will receive information for their guidance on landing.

In conformity with their instructions, the Commissioners have prepared printed Statements containing information which they think likely to be useful to persons proposing either themselves to emigrate, or to supply others with the means of doing so.

The Commissioners have directed that all persons applying for information respecting the purposes of the commission should be furnished with a copy of this Circular; and that persons wishing to avail themselves of the powers vested in the Commissioners, and of the general information respecting His Majesty's possessions in North America, Australia and South Africa, which has been hitherto collected, should also be furnished with the different printed statements containing the same.

By order of the Commissioners,

T. Frederick Elliot,

Secretary to the Commission.

— No. 6.—

DESPATCH from Viscount *Goderich* to Major-General *Bourke*,
&c. &c. &c.

SIR,

Downing-street, 10th July 1831.

IN addition to the instructions which have been conveyed to General *Darling*, relative to the disposal of the Crown Lands in New South Wales, and with reference to those parts of the Royal Instructions which have been addressed to you relating to the same subject, I deem it necessary to explain to you in a separate Despatch, that although it is the wish of His Majesty's Government that all the public lands in the Colony should, as a general principle, be put up to public auction, and although a minimum price of 5*s.* an acre has been named, yet that in mentioning that sum, it is not intended to deprive you of the discretionary power of fixing a higher price on land to which its situation gives a peculiar value, and of keeping it out of the market until that price can be determined. Five shillings was intended to be the minimum price for land possessing no peculiar advantages; but as the reserves which have hitherto been retained in the settled districts, and which are now to be offered for sale, must be of much higher value, care must be taken that they are not, by a forced sale, disposed of for less than they are really worth. The principle of competition will, in general, prevent this from taking place; but when a considerable quantity of land is thrown suddenly upon the market, (particularly as ready money payments are required,) it may very possibly happen, that by the absence of any one with the means of bidding against them, individuals may be enabled to obtain land much below its real value. To prevent this from happening, you will not permit any land, either in the settled districts or in situations otherwise particularly valuable, to be put up for sale except at a price calculated, not upon that which it may be likely immediately to command in the market, but upon that which it ought to bear upon a fair comparison of its value, in reference to what has been fixed upon ordinary waste lands. In order that no disappointment to individuals may occur, from their entertaining an expectation of being able to purchase such lands at a cheaper rate than these instructions will allow, it will be advisable that maps should as soon as possible be publicly exhibited in the Surveyor-General's office, in which the prices of the several lots, calculated on the principle I have laid down, should be distinctly marked.

I am, &c.

(signed) *Goderich*.

— No. 7.—

DESPATCH from Viscount *Goderich* to Major-General *Bourke*,
&c. &c. &c.

SIR,

Downing-street, 28th September 1831.

IN consequence of the representations which I have received from various quarters, of the evils resulting from the great disproportion of the female to the male population in the Colony under your government, I have been led seriously to consider what means might be adopted for supplying the deficiency of females, which is so much complained of.

The enquiries which I have instituted, have convinced me that there are in England, and especially in the Agricultural Counties, many young women, who, having been brought up in such a manner as to qualify them to discharge the duties of servants in the family of a farmer, are unable in this country to procure such situations or to gain an honest livelihood, and who would therefore gladly avail themselves of an opportunity of emigrating to a Colony in which they could rely upon finding the means of doing so. In New South Wales and Van Diemen's Land, all accounts concur in stating that such persons would without difficulty find eligible situations, and that their arrival would be very acceptable to the Settlers, who seem to be almost entirely unprovided with female servants. The friends of many young women of the above description would (unless I am greatly deceived) willingly afford them some assistance, in order to place them in a situation

situation of permanent comfort in the Colonies. They have not hitherto attempted to do so, chiefly because they have been deterred by the heavy expense of so long a voyage, and because there has been no party to whom they could apply to undertake all the necessary arrangements, and to whose care they could safely confide unprotected females.

The appointment of the Commissioners for facilitating Emigration, of which you have already been informed, will, I trust, abate the latter difficulty; and in order to remove the former one, I directed a communication to be addressed to the Lords Commissioners of the Treasury, requesting their Lordships' sanction for applying to the assistance of Female Emigrants so much of the Territorial Revenue of the Australian Colonies as arises from the sale of land. I inclose Copies of the Correspondence which has taken place on this subject between my Under Secretary and Mr. Stewart, and you will perceive that the Lords of the Treasury concur in the proposed plan. I shall therefore lose no time in causing it to be carried into execution, and you will on your part immediately take such measures as you may judge to be calculated to promote its success.

It is not, however, at present in my power to communicate to you the details of the arrangements which will be adopted. Of these you shall, as soon as they are completed, be apprised; and in the meanwhile it is sufficient to direct you to be prepared upon the arrival of the vessel in which these Emigrants will be conveyed, both to receive them and direct them to such of the Settlers as may be willing to engage them as servants, and also to defray that part of the expense of their passage, which it is proposed, in the correspondence I have already referred to, should be paid in the Colony. If you should not have in your hands the necessary funds from the sale of land, you will apply, from any other sources which may be available, the sum necessary to supply the deficiency; it being, however, clearly understood, that it is to be considered merely as an advance, and to be repaid out of the first money which may be received from the sale of land.

I shall take an early opportunity of again addressing you upon the subject of Emigration generally. In the meantime I must express my hope that the suggestions contained in my Despatch to General Darling, of the 23d January last, will have led to such measures for raising a revenue from the assignment of convict servants to the Settlers, as may facilitate any arrangements that may be concerted at home for directing the course of Emigration towards the Australian Colonies. No season could be so favourable to that object as the present, and I am very desirous to learn with precision what means the two Colonies can yield towards rendering them more accessible to Emigrants from this country.

I am, Sir,

Your obedient humble Servant,

(signed) *Goderich.*

(Enclosure 1, in No. 7.)

EXTRACT of a LETTER from Lord *Howick* to the Hon. *J. Stewart*,
dated 16 July 1831.

"A CONSIDERATION of the rapid progress which has already been made, and of the natural resources possessed by New South Wales, gives every reason to hope that at no very distant period the whole expense, both of its civil government and of its defence, may without inconvenience be defrayed by the Colony. In order, however, to accelerate the accomplishment of this object, Lord Goderich is of opinion that it would not be wise so to burthen the Colony as to check the progress of improvement and the development of its resources for the sake of a small immediate saving to this country; and he would more especially call the attention of their Lordships to the impolicy of applying to the ordinary current expenses of the Colony that portion of the territorial revenue which arises from the sale of land. The funds derived from this source should be looked upon, not as forming a part of the income of the Colony and available for the purpose of meeting its annual expensés, but as capital which should not be permanently sunk, but invested so as to produce a profitable return. As the best mode of investment, and in order to remedy what is so very serious an evil in its present condition, Lord Goderich would therefore propose, with the approbation of the Lords Commissioners of the Treasury, to apply the net revenue arising from the sale of land in encouraging the emigration of females from this country.

Their Lordships are doubtless aware how necessary it is for the moral improvement of the Colony to correct the existing disproportion of the sexes, which has produced such unhappy effects; but independently of this consideration, and in a merely financial point of view, Lord Goderich is convinced that the funds produced by the sale of land, if applied in the manner he has suggested, will be found to have been laid out in a most advantageous manner. The colonial revenue is chiefly derived from duties on articles of general consumption, and has been found to advance more than in proportion to the increase of the population. There is no reason to doubt that it will continue to do so. Nothing therefore can have a greater tendency to insure its improvement than the Emigration of a sufficient number of females to supply the existing deficiency; this being all that is required to enable the population to advance with that rapidity which is to be expected from the high rate of wages, and from the abundance of all the necessaries of life.

In conclusion I have only to add, that it is highly desirable that their Lordships should come to as early a decision upon this subject as may be practicable, as Lord Goderich, in the event of their sanctioning the arrangements I have proposed, would lose no time in concerting with the Commissioners of Emigration the means of carrying it into effect."

(Enclosure 2, in No. 7.)

LETTER from the Hon. *J. Stewart* to Viscount *Howick*, &c. &c. &c.

MY LORD,

Treasury Chambers, 22d July 1831.

THE Lords Commissioners of His Majesty's Treasury having had under their consideration your Lordship's Letter of the 16th instant, wherein you are directed more especially to call the attention of my Lords to the impolicy of applying to the ordinary current expenses of the Colony of New South Wales that portion of the territorial revenue which arises from the sale of land, the net revenue arising from which Viscount Goderich would propose to apply in encouraging the Emigration of females from this country; I am commanded to acquaint you that my Lords entirely concur in the importance which his Lordship attaches to the increase of the female population of New South Wales, and they approve of his Lordship's proposal to apply the produce of the sale of lands in that Colony for the present to the encouragement of the Emigration of females to that country: and my Lords request to be informed of the present amount of that income, and to be made acquainted with the arrangements which Lord Goderich may make for carrying his Lordship's plan into effect.

I am, my Lord,

Your obedient Servant,

(signed) *J. Stewart.*

(Enclosure 3, in No. 7.)

LETTER from Viscount *Howick* to the Hon. *J. Stewart*, &c. &c. &c.

SIR,

Downing-street, 12th August 1831.

I HAVE had the honour of receiving your Letter of the 22d July, in which you inform me that the Lords Commissioners of the Treasury approve of the proposal made by Lord Goderich for applying to the encouragement of female Emigrants that portion of the territorial revenue of New South Wales and Van Diemen's Land which arises from the sale of land; and requesting to be informed of the arrangements by which it is intended to carry this determination into effect.

In reply I am directed to inform you, that Lord Goderich is of opinion that it will be advisable rather to apply the funds in question in affording assistance to such female Emigrants as may from other sources be enabled to defray a part of the necessary expense of their conveyance to the Colonies, than in carrying out entirely at the public expense those who are altogether without means of their own.

It appears from the inquiries of the Commissioners of Emigration, that in contracting for the conveyance of Emigrants to the Colonies, there will be no difficulty in stipulating that half of the price agreed upon shall be paid upon the departure of the vessel from this country, and the other half on its arrival at the port of its destination. There is also reason to believe, that though so large a sum as 16l.

(the estimated cost of the conveyance of an adult Emigrant to New South Wales) could not be procured by any considerable number of females who might be willing to proceed to the Colony, many might, by private subscription or by the assistance of charitable institutions, be enabled to obtain as much as 8*l*. Lord Goderich would therefore propose that the Commissioners should be informed that half of the actual cost of carrying out a certain number of female Emigrants should, on their arrival in the Colony, be paid from the Colonial Treasury. The only question which remains to be determined, and on which some difficulty arises from the uncertainty which exists as to the amount of revenue which may be reckoned upon, is, how many Emigrants should be permitted to receive this assistance. It appears by the accompanying Statement, that the amount received from the sale of Crown Lands has varied very much in different years, and that in the last, the amount was by no means large. It will be seen, however, by the enclosed extract from a letter from the Collector of Internal Revenue in New South Wales, that considerable sums are due to the Government as arrears both of purchase money and of quit-rents. The recovery of these debts, there is every reason to hope, will be facilitated by the new arrangement of the Collector's Office, and by the measures which the Governor has been directed to carry into effect. This object will be further promoted by the recent regulations respecting the Crown Lands. Free grants being now prohibited and a general system of sale substituted, parties will not willingly subject themselves to the loss by a legal process of the land they possess, when its value must be so greatly augmented by the restriction of the extreme facility of acquiring it which has up to this time prevailed. Lands hitherto reserved in the neighbourhood of Sydney, and in other settled parts of the country, have also been ordered to be sold, and may be expected to produce an increased receipt. Taking into account all these considerations, Lord Goderich conceives that 10,000*l*. may be looked upon as by no means an unreasonable estimate of the produce of the sale of land in the two Colonies in the course of the next year; and he would therefore propose that the Commissioners of Emigration should be authorized to calculate upon funds to that amount, which would enable them to afford the contemplated assistance to upwards of 1,200 female Emigrants. Although the actual receipt from the sale of land has been much greater in Van Diemen's Land than in New South Wales, Lord Goderich conceives that the greater extent of disposable land, and the larger population of the latter Colony, render it expedient to send two-thirds of the Emigrants to Sydney and the remainder to Van Diemen's Land.

I have only to add that, even if it should be found that the estimate of the probable receipt from the sale of land has been taken too high, the state of the Colonial Revenue is not such as to give any reason to apprehend serious inconvenience from the necessity of advancing, from other sources, what may be required to supply the deficiency; while it will always be easy, as soon as it shall be known that such a deficiency is likely to occur, to suspend all further expense until the debt contracted shall have been discharged. On the other hand it is of so much importance to correct the disproportion of sexes in these Colonies which has produced such lamentable effects, that Lord Goderich would exceedingly regret any delay in carrying into effect a measure for that purpose; and he conceives that if the present system of transportation is to be continued, it is at all events the duty of this country to take care that that disproportion shall not be increased.

I am, Sir,

Your obedient, humble Servant,

(signed)

Howick.

-(A.)

EXTRACT of a Letter from the Collector of Internal Revenue of New South Wales to the Colonial Secretary, dated 15th January 1831.

IT will be perceived that the amount collected under this head (viz. Revenue arising from Crown Lands) during the year 1830, is little more than one-half of the amount derived from the same source during the year 1829. This is caused by the large payments made on account of lands purchased under authorities from Sir Thomas Brisbane, those in 1830 not amounting to much more than one-fourth of those in 1829. It will be observed also, that in 1830 the payments made under the old regulations at five shillings per acre (by six individuals,) greatly exceed those made under the regulations of 23d October 1828

(by one individual only.) I think this is to be attributed to the want of confirmation by the Home Government of the latter regulations; and the consequent delay in the issue of the grants. Indeed a prompt issue of the grants is particularly desirable as an encouragement to payments. Out of twenty-six purchasers who have paid the full price, at five shillings per acre for their lands, or are ready to do so on being assured of immediately obtaining their grants, only ten have yet received them. Several purchasers under the regulations of 23d October 1828, have expressed their readiness to pay the balances owing by them as soon as their lands are measured. The quit-rents collected in 1830 considerably exceed those in 1829; indeed, the only payment of any consequence made in the last mentioned year, was by Mr. M'Arthur, as interest at the rate of five per cent. per annum up to 31st December 1828 on the purchase price, at the rate of ten shillings per acre, of 5,400 acres in Camden, equal to an annual quit-rent of sixpence per acre. Mr. M'Arthur has not paid this interest for the years 1829 and 1830. The quit-rents paid in 1830 have been on two hundred and twenty-one grants; and I do not feel any hesitation in saying that an addition to the revenue to a very considerable annual amount might be made, and that without occasioning any severe pressure on individuals, if the establishment of my office was competent to the proper discharge of its duties; in this instance more particularly, as respects the application for payment of the quit-rents annually, or even every second or third year. At present *ten* years' quit-rents remain, with a few exceptions, unapplied for on grants and leases, certainly not fewer in number than from four to five thousand. If the quit-rents were asked for as just mentioned, the amounts payable by each individual in most instances, would be small, and obtained without difficulty; but when allowed to accumulate for many years, they are not thought of until the demand is made, and then are not so easily provided for. Very few payments are made to this office without being applied for; and that more than once, or even twice or thrice in many cases.

The collection of the rents of land let on monthly leases, with the various intimations, when cancelled or surrendered by the parties, to the Colonial Secretary's and Surveyor's General's Offices and to the parties themselves, have occasioned no small addition to the labours of my office.

(B.)

STATEMENT.

NEW SOUTH WALES.

The amount realized from the sale of Crown Lands, was

In 1827	-	-	-	-	-	-	-	£. 2,274	11	7
In 1828	-	-	-	-	-	-	-	5,004	19	2

The proceeds of the sale of Cedar cut on Crown Lands

In 1827, amounted to	-	-	-	-	-	-	-	£. 786	10	-
In 1828	-	-	-	-	-	-	-	744	15	-

The arrears due to the Crown on the 31st December 1828, were as follows; viz.

Quit-rents	-	-	-	-	-	-	-	£. 8,090	12	-
Instalments for Land sold	-	-	-	-	-	-	-	7,333	7	4

Arrears of 1828 and previous years, collected in 1829

Revenue of year 1829, arising from Crown Lands

Total collected in 1829

Arrears of 1829 and previous years, collected in 1830

Revenue of year 1830 arising from Crown Lands

Total collected in 1830

VAN DIEMEN'S LAND.

1828: Rents of Crown Lands and Quit-rents	-	-	-	-	-	-	-	£. 59	1	3
Proceeds of sale of Crown Lands	-	-	-	-	-	-	-	2,418	16	7½
								£. 2,477	17	10½

1829: Quit-rents collected in 1829	-	-	-	-	-	-	-	£. 26	13	6
Rent of Crown Land	-	-	-	-	-	-	-	1,122	1	4½
Proceeds of sales of Crown Lands	-	-	-	-	-	-	-	5,845	17	5
								£. 6,994	12	3½

(Enclosure 4, in No. 7.)

LETTER from the Honourable *J. Stewart* to Viscount *Howick*,
&c. &c. &c.

MY LORD,

Treasury Chambers, 27th Sept. 1831.

THE Lords Commissioners of His Majesty's Treasury having again had under consideration your Letter of the 12th ultimo, on the subject of Secretary Lord Goderich's proposal for applying to the encouragement of female Emigrants that portion of the Territorial Revenue of New South Wales and Van Diemen's Land which arises from the sale of land, I am commanded to acquaint your Lordship, for Viscount Goderich's information, that they entertain no objection to his plan of appropriating 10,000*l.* from the funds arising by the sale of land at Sydney and Van Diemen's Land, to defray a moiety of the expense of conveying 1,200 female Emigrants to those Colonies, on the distinct understanding that no other appropriation of the produce of sales shall on any account be allowed until this expense of 10,000 *l.* shall have been liquidated.

I am, My Lord,

Your obedient Servant,

(signed) *J. Stewart.*

—No. 8.—

DESPATCH from Viscount *Goderich* to Major-General *Bourke*, &c. &c. &c. New South Wales, and Colonel *Arthur*, &c. &c. &c. Van Diemen's Land.

SIR,

Downing-street, 12th October 1831.

WITH reference to my Despatch of the 28th September, I have now the honour of transmitting to you copies of the Report addressed to me by the Commissioners for Emigration, on the subject of the encouragement to be afforded to Female Emigrants, and of the Regulations they have drawn up on that subject. The mode of proceeding which they propose is so simple, that I trust you will have no difficulty in carrying it into effect.

I also transmit a former Report from the Commissioners for Emigration, detailing a Plan for assisting another class of Emigrants; which Report having, as you will perceive by the accompanying correspondence between my Under-Secretary and Mr. Stewart, received the sanction of the Lords Commissioners of the Treasury, will likewise forthwith be acted upon. The documents themselves, and the Despatches I have already addressed to yourself and to General Darling, so fully explain the views of His Majesty's Government, that I am not aware that any further observations are required. I have therefore only to inform you, that I hope a first detachment of Emigrants may arrive in the Colony not long after you receive this communication.

I have, &c.

(signed) *Goderich.*

(Enclosure 1, in No. 8.)

REPORT from the COMMISSIONERS for EMIGRATION, to Viscount *Goderich*,
&c. &c. &c.

MY LORD,

Colonial Office, 11th October 1831.

HAVING had under our consideration, by your Lordship's desire, the decision of His Majesty's Government, that the revenue arising out of the sale of Crown Lands in New South Wales and Van Diemen's Land shall be appropriated to the encouragement of the Emigration of females to those Colonies, and that the sum of 10,000 *l.* shall be immediately applied in execution of that purpose, we have the honour to submit herewith the Regulations under which we recommend that the intentions of His Majesty's Government on this subject should be carried into effect.

We have the honour to be,

My Lord,

Your Lordship's most obedient humble Servants,

(signed)

*Richmond.**F. Baring.**Howick.**H. Ellis.**R. W. Hay.*

Colonial Office, 10th October 1831.

HIS MAJESTY'S Government having resolved that the sums produced by the sale of land in New South Wales and Van Diemen's Land should be appropriated to the encouragement of the emigration of females to those Colonies, the Commissioners for Emigration have been directed to publish the following account of the regulations under which this money will be applied:

1st.—The Commissioners will contribute £.8. (which it is supposed will be about one-half of the total expense) towards the passage of unmarried female Emigrants.

2dly.—When Emigrants of the above description, and between the ages of fifteen and thirty, are members of families which are about to proceed to New South Wales or Van Diemen's Land, they will, on applying to the Commissioners for Emigration, be furnished with orders, payable in the Colony, for the above-mentioned sum of £.8. This money will be paid at the option of the Emigrants, either to the heads of their families or to the captains of the ships in which they are conveyed; but it will be necessary that they should make their option before departing from this country, as the orders will be framed accordingly.

3dly.—Females desirous to emigrate to New South Wales or Van Diemen's Land, and not forming part of any family proceeding to those Colonies, are required to send in an account of the particulars enumerated in the annexed paper. If they be between the ages of eighteen and thirty, and possess the funds which would be necessary, in addition to the sum allowed them by the Commissioners, to complete the price of their passage, they will be admitted as candidates for the bounty of Government. As soon as a sufficient number of such persons shall have signified their wish to emigrate, they will be called upon to pay into the hands of an officer appointed for that purpose their share of the charge of the passage, and the Commissioners will then take up a vessel (into which no other passengers will be admitted) for the conveyance of these Emigrants to their destination.

4thly.—Should the number of applications to the Commissioners be greater than the funds at their disposal will enable them to comply with, the preference will be given, first, to females emigrating (as described in paragraph 2) in company with their families; and next, to those who are qualified to make themselves useful as servants in a farmer's family. Females who may offer to pay a larger proportion than others of the cost of their passage, will also be considered entitled to a preference. In the absence of all other distinctions, priority of application will form the rule of selection.

By order of the Commissioners,

T. Frederick Elliot,
Secretary to the Commission.

FORM for FEMALES desirous of being assisted by the Commissioners for Emigration to emigrate to New South Wales and Van Diemen's Land; to be filled up and returned to the Secretary to the Commissioners, under a Cover addressed to the Secretary of State, Colonial Department, London.

Name and Address of the Applicant.	
Age of the Applicant.	
Amount which the Applicant is prepared to contribute towards the Expense of Conveyance.	
Period at which the Applicant will be ready to embark.	
Name and Address of the Minister of the Parish in which the Applicant resides.	
Name and Address of any respectable Householder or Householdors to whom the Applicant is known.	

(Enclosure 2, in No. 8.)

REPORT from the COMMISSIONERS for EMIGRATION to Viscount Goderich,
&c. &c. &c.

MY LORD,

Colonial Office, 24th September 1831.

IN reference to our Report of the 20th July last, pointing out the reasons on account of which no Emigration can be effected at the present season to other places than New South Wales and Van Diemen's Land, we have the honour to inform your Lordship that we have since received many applications from persons desirous of emigrating to those Colonies, but that few have applied to us with the funds necessary for defraying their passage. The greater number state their inability to defray the charge of their own conveyance, and propose that they should be furnished with the means of doing so, upon condition of repaying the advance out of the wages of their labour in the Colony.

From these applications, and from the tenor of all the communications we have received on the subject, we draw the conclusion that there is no want of a disposition to emigrate to New South Wales and Van Diemen's Land, but that it is impossible for people belonging to the working classes to pay their passage to those Colonies without some aid in addition to their own resources. We think it our duty, therefore, to enquire whether Government could afford such aid with a reasonable prospect of repayment. And we feel this inquiry to be the more important, because owing to the circumstances which limit the period suitable to Emigration to the North American Colonies, the question is, not merely whether there shall be an Emigration to New South Wales and Van Diemen's Land, but whether there shall be any Emigration whatever from this country at other seasons than the spring and summer. In short, unless the difficulty of reaching the Australian Colonies can be diminished, no place will be open to Emigrants at the termination of the harvest, a period when the earnings of one large class of people may be supposed to render them best able to remove themselves, and when the approach of winter at home renders it most desirable for their interests that they should effect that removal.

We do not feel any doubt of the *ability* of the Emigrant to repay out of his wages any moderate advance which might be made to him for the purpose of providing his passage to New South Wales or Van Diemen's Land. All the accounts from those Colonies agree in stating that working people generally, and more especially mechanics, earn considerably more than is sufficient for their subsistence.

Nor do we see any reason to suppose, that under a proper arrangement there would be either any general disposition amongst Emigrants of this description to evade the payment of a just debt, or any difficulty in controlling such a disposition, in those cases in which it might exist. A contrary opinion might indeed be created by the ill-success of some Colonial Proprietors who have provided Emigrants with their conveyance on condition of enjoying their services for a stated period at reduced wages; but we believe that the failure of these enterprises may be traced to causes which would not be felt under different arrangements. The Emigrant, in the cases to which we allude, has bound himself previously to his departure from this country, to serve his employer for a time at wages which, though higher than those he could have obtained at home, were much below the ordinary rate in the Colony. No attempt has been made to render the advantage obtained by the employer in this manner an equivalent for the expense he has incurred in carrying out the Emigrants; and it can scarce be doubted that in many instances the bargain, if strictly adhered to, would have been more than reasonably profitable to the employer. Indeed it has been the principal fault of these arrangements that the engagement of the Emigrant has not been on either side regarded as a mere undertaking to repay the expense incurred in his conveyance; and hence he has often been led to look upon the transaction as a disadvantageous hiring of himself, into which he had been misled by his ignorance of the circumstances of the place to which he was going. This has been the frequent cause of discontent on the part of indentured servants; and their masters, unable to derive any advantage from unwilling labourers, have found it more for their interest to discharge these servants than to insist on the right conveyed by their bond. It is obvious that no increased severity in the legal enact-

Vide No. 9.

ments for the protection of contracts could prevent those which we have described from being thus dissolved, for they have been so, not from any insufficiency in the obligations by which the Emigrants have been bound, but from the impossibility of rendering such obligations worth preserving, where one of the parties strongly desires them to be cancelled.

All the circumstances however which we have recapitulated, only afford additional proof that Emigrants would be able to repay out of their earnings the expense of their conveyance to the Australian Colonies. For unless the usual wages in the Colony had considerably exceeded what was requisite for the maintenance of labourers, indentured servants would have had no motive for so eagerly striving to break their engagements. The objects therefore to be accomplished, are, to diminish the disposition of the Emigrant to evade the performance of the obligation he may incur by being conveyed to the Colony, and also to diminish his means of succeeding in that evasion. We believe that both these objects would be most easily attained by merely requiring the Emigrant to repay as an ordinary debt the expense incurred on his account.

To recover these debts it would be requisite, first, that the person making the loan should acquire a claim over the Emigrant's wages, and secondly, that local agents should be found who would duly apply that claim to the recovery of the debt. With respect to a local agency, we have merely to remark that no difficulty can arise, since the peculiar condition of the Australian Colonies ensures the existence of as many public officers in the different districts as could be required for this purpose.

With respect to the claim which it would be necessary to acquire over the wages of the Emigrants, we understand that the forms of legal procedure in the Colonies afford the solution of a considerable difficulty which might at first sight be apprehended on this subject. By the general laws of England, a creditor can seize in execution only the goods and the person of his debtor; but in the British Colonies, and especially in New South Wales and Van Diemen's Land, the creditor can further attach in the hands of third persons, or even take in execution, any money owing to the debtor by them. This is done by a process called "Foreign Attachment," which is borrowed, with some amplification, from a process existing in the City of London and some other corporate towns in this country. By means of this process the wages of the Emigrant, whenever any were due, would be a subject of attachment, and they might be taken in execution either to the whole extent of what should be due, or to any less extent, as in the particular case might be thought proper. The Courts of Requests which exist in the Australian Colonies afford a tribunal by which cases arising out of the exercise of this right might be decided promptly, and without any disproportionate expense. It is possible indeed, although we are not aware of the fact, that the use of the process of "Foreign attachment" may have hitherto been confined to the Supreme Court; but even supposing this to be the case, the process of the Courts of Requests is regulated by the Governor and Judges, and there is no reason to doubt that, for an important public object, these officers would direct those petty Courts to follow the practice of the Supreme Court as regards the use of "Foreign attachment."

Whether the Emigrant should betake himself to labour for wages or to any petty traffic, this remedy could be enforced. Should he hire and cultivate land, he would have visible effects capable of seizure, and an ordinary execution would be available. There is no way in which he could acquire either the possession of property, or the right to property, but that he might be compelled to apply it to the satisfaction of his debt.

The principles on which the agents of Government should proceed in exerting the power that we have indicated for the recovery of these debts, would be a matter of subsequent and detailed regulation. At present it may suffice to suggest, that all Emigrants to whom loans might be made should be registered in the Colony; and that they should be required to give notice to Public Officers named for that purpose, of every change in their employment, and, so long as they worked at wages for particular masters, of the terms of their engagement. As soon as their probable earnings could be ascertained, the most convenient mode of proceeding in the Colony would probably be to fix a certain weekly payment for each Emigrant according to his abilities, allowing him of course the option of making a larger payment, whenever it might be convenient to him to do so. At the time of receiving the loan, the Emigrant should be made to understand that the

the law of the Colony would enable the Crown by its agents to intercept his earnings, but that so long as he was considered honestly to make his repayments according to his means, that power would not be exercised; and further, that the power would never be exercised to such an extent as to deprive him of his necessary means of support.

These are the means which have occurred to us for obliging the Emigrant to make a repayment which we have also stated our opinion that he could be able to make. But we are sensible of the uncertainty which must attend all plans for the recovery of very extensive advances, and we would not venture to recommend the trial of any such plan to His Majesty's Government, unless there were some fund on which the loss, if the experiment should not succeed, might properly fall. We believe that in the present instance we can point out such a fund.

It appears that your Lordship has lately instructed the Governors of New South Wales and Van Diemen's Land to recommend to their respective Councils the imposition of a tax upon the labour of convicts, with the express view of raising a revenue for the encouragement of Emigration; and we are informed that no difficulty is apprehended, either in concerting the details of such a measure, or in obtaining for it the concurrence of the Colonial Councils. There are not sufficient grounds for making a precise statement of the annual amount likely to be raised in this manner; but owing to the eager competition for convict labour, we suppose that the proceeds of the tax may be assumed to amount to an average of 1*l.* a head on all the male convicts in these Colonies, without distinction of age or class. As the number of male convicts in New South Wales is stated to be between 14,000 and 15,000, and of those in Van Diemen's Land to be between 7,000 and 8,000, the convict tax would, on these calculations, yield a revenue exceeding 20,000*l.*

Upon the security of the fund to be derived from this source, we think that His Majesty's Government might furnish 1,000 families with an advance of 20*l.* per family, towards the expense of their conveyance to the Australian Colonies. In the first instance, however, and until the plan has been subjected to the test of experience, we would recommend that the advances should be confined to persons skilled in some of the ordinary mechanical arts. We propose that the Emigrants should pay in this country their proportion of the expense, and that Government should undertake to pay the remaining 20*l.* in the Colony, on the arrival there of the ships containing the Emigrants. We have ascertained that this mode of payment would not be objected to by shipowners engaged in trade with New South Wales and Van Diemen's Land, but that, on the contrary, it would be more convenient to them than that which they are accustomed to accept for the conveyance of convicts.

If upon the trial of this experiment the advances made to Emigrants should not be repaid, no expense will have been charged on the people of this country, and the tax raised in the Colony will have been applied in a manner greatly to the benefit of the Colonists, and in exact conformity with the purpose for which it was originally created. If, on the contrary, the advances be duly repaid, the fund arising from the tax upon convicts will be restored, together with an increase in its amount, by the produce of the next year's revenue; and thus will arise a continually increasing fund, in proportion to which the advances recommended to be made to Emigrants can be increased and extended.

In conclusion we would observe, that should private individuals be disposed to make pecuniary advances to persons in this country in order to enable them to emigrate, we should see no objection to extending to those cases the benefit of the arrangements which may be adopted for the recovery of advances made by Government. For this purpose, however, it would be necessary that the sums advanced should be received and applied by us, and that we should afterwards remit to the several parties, from time to time, the amount of the repayments made by the individuals they had assisted to emigrate. We should of course only undertake to return the actual amounts which might be recovered by means of the arrangements we have described, without in any degree rendering ourselves answerable for the whole advance.

We have now laid before your Lordship the considerations which our experience up to this time has suggested, respecting the prospect of effectually promoting Emigration to the Australian Colonies. We regret that the length of the passage seems to render it impossible that, without some assistance from independent sources, these Colonies should be reached by the largest class of persons

whose circumstances render it desirable for them to emigrate from this country. Should your Lordship, however, be disposed to sanction a trial of the plan which we have proposed for the allowance of such aid by Government, we hope that it may be found the means of conferring immediately a considerable benefit on the Australian Colonies, and, perhaps, ultimately of operating to so great an extent as to be felt beneficially in this country.

We have the honour, &c. &c.

(signed) *Richmond.* *F. Baring.*
Howick. *H. Ellis.*
R. W. Hay.

(Enclosure 3, in No. 8.)

LETTER from Viscount *Howick* to the Honourable *J. Stewart*,
 &c. &c. &c.

SIR,

Downing-street, 7th October 1831.

I AM directed by Viscount Goderich to transmit to you the enclosed Report from the Commissioners for Emigration, proposing that a limited number of mechanics should be allowed a certain advance in aid of their means of emigrating to the Australian Colonies, and that the advance should be paid from the proceeds of a tax which Lord Goderich has recommended to be imposed upon the labour of convict servants in those Colonies. I also inclose the Despatches in which this recommendation was contained.

I am directed to acquaint you that Lord Goderich is very desirous to sanction the Plan suggested by the Commissioners for Emigration; and that with respect to the tax on convicts, his Lordship can scarcely doubt that it will be adopted by the Colonial Councils, and be productive of the amount estimated by the Commissioners. These results may be confidently inferred from the official reports in this Department, as well as from the private representations of individuals connected with the Australian Colonies. As, however, no answers have yet been received to the Despatches written to the Governors on this subject, it might at first sight appear the most convenient course to defer the decision on the recommendation of the Commissioners for Emigration until notice should arrive from the Colonies of the actual imposition of the convict tax. But Lord Goderich conceives it to be a decisive objection to such a delay, that it would in all probability lose a very favourable opportunity for turning towards the Australian Colonies some portion of the Emigration which has hitherto flowed almost exclusively to the Colonies of North America. In the present season, while Emigrants are prevented from proceeding to the North American Colonies, it is very likely that the encouragement contemplated by the Commissioners for Emigration might have the effect of directing to New South Wales and Van Diemen's Land persons desirous of emigrating from this country; and that in this manner a connection might be established which would lead to a continued Emigration to the same quarter. But after once the Commissioners shall have been engaged in facilitating a whole season's emigration to North America, there will be a much diminished prospect of inducing people to make the longer passage to Australia; and the same encouragement which one year would have been adequate, may in the next be quite inefficacious.

Under these circumstances, I am to request you will communicate to the Lords Commissioners of the Treasury Lord Goderich's desire to approve the plan recommended by the Commissioners for Emigration; and that you will acquaint me whether, in order to afford this plan the early trial which has been described as so important to its success, their Lordships would be disposed to concur in authorizing the Governors of New South Wales and Van Diemen's Land to make up from the general resources of those Colonies any unforeseen failure in the particular fund supposed to be available for this object.

I am, Sir,

Your obedient humble Servant,

(signed) *Howick.*

24 Sept. 1831.
 (Preceding
 Enclosure.)

23 January 1831.
 See No. 3. page. 8.

(Enclosure 4, in No. 8.)

LETTER from the Honourable *J. Stewart* to Viscount *Howick*,
&c. &c. &c.

MY LORD,

Treasury Chambers, 12th October 1831.

THE Lords Commissioners of His Majesty's Treasury having had under consideration your Letter of the 7th instant, transmitting, by direction of Secretary Viscount Goderich, a Report from the Commissioners for Emigration proposing that a limited number of mechanics should be allowed a certain advance in aid of their means of emigrating to the Australian Colonies, I have it in command to acquaint your Lordship that my Lords concur with Viscount Goderich in approving the Plan suggested by the said Commissioners to facilitate the Emigration of mechanics to New South Wales and Van Diemen's Land, and for applying the revenue arising from the new tax on convict labour to the payment in the first instance of 20*l.* for the passage of each family on their arrival at the destined port, which sum of 20*l.* is to be recovered from the mechanics in the mode suggested by the Commissioners. And for the purpose of giving immediate effect to the Plan, which for the reasons stated by your Lordship is important, my Lords are willing to sanction an advance from the general funds of the Colony, in case the revenue arising from the tax on convict labour should be insufficient for the requisite payments on the first arrival of the mechanics who may emigrate during the ensuing winter. Their Lordships have also to suggest to Viscount Goderich that this indulgence ought to be confined to persons who may prove useful to the Colony, and that the Governor ought to be particularly instructed to require the repayment of these advances.

I am, my Lord,

Your obedient Servant,

(signed)

J. Stewart.

— No. 9. —

REPORT from COMMISSIONERS for EMIGRATION to Viscount *Goderich*,
&c. &c. &c.

MY LORD,

Colonial Office, 20th July 1831.

WE have the honour to transmit to your Lordship the accompanying Papers, which we have caused to be printed and circulated for general information.

Your Lordship will observe, that the only places to which we consider that Emigrants can proceed with advantage at this season, are New South Wales and Van Diemen's Land. In the present early stage of the settlement at Swan River we have judged it inexpedient to take any step which might direct thither a larger number of Emigrants than would at any rate choose that destination; and we have not published any detailed statements respecting the North American Colonies, because at this period of the year the passage to them is uncertain and generally tedious, while the approach of winter constitutes a circumstance obviously unfavourable to Emigrants who may land from the latest ships that sail from England.

In the interval which is thus afforded, we request that your Lordship will instruct the Governors of the North American Colonies to furnish us, in the clearest and most compendious form in their power, with the means of publishing similar information respecting those Colonies to that which we have published respecting New South Wales and Van Diemen's Land. We would also suggest that the agents for Emigrants at the principal ports should be directed to collect detailed Returns of the demand for labourers in the districts communicating with their stations, and that an Estimate should be transmitted to this country of the number of working people for whom it is thought probable that employment could be found next year in each North American Province. We are not in possession of sufficient information to offer any suggestions as the best means of obviating the inconvenience which is said to have been felt during the present season from the indiscriminate nature of the Emigration directed upon the principal ports of

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the North American Colonies, and more especially upon Quebec; but we shall be very anxious to receive from your Lordship any Report which you may think it expedient to require on this subject from the Governors of the several Colonies. We have the honour to be,

My Lord,

Your Lordships most obedient humble Servants,

(signed) *Richmond.* *F. Baring.*
Howick. *H. Ellis.*
R. W. Hay.

(Enclosure 1, in No. 9.)

Colonial Office, 18 July 1831.

THE Commissioners recently appointed by His Majesty for the purpose of facilitating Emigration to the British Possessions abroad, perceiving from the communications which have reached them since the issue of their first Circular, that some further explanation is required of the duties with which they are charged, deem it right to give publicity to the following more detailed statement.

His Majesty's Government have not placed at the disposal of the Commissioners any funds to be employed in conveying Emigrants to His Majesty's Possessions abroad; and it cannot be too distinctly understood that it is not in the power of the Commissioners to render any pecuniary aid for the promotion of undertakings of that nature.

If an adequate sum of money should in any case be raised by individuals, or collected by parochial or other subscriptions, to defray the expense of voluntary Emigrations to the British Colonies, the Commissioners will, in pursuance of their instructions, be ready to undertake the management and expenditure of any such funds. The Commissioners, however, will not enter into any engagement for the removal of Emigrants until the money required for that purpose shall have been raised and actually paid into the hands of W. Sargent, esq., Commissariat Department, Treasury Chambers; nor will any such contract be entered into except in writing. Forms of the proposed contracts will shortly be ready for delivery at this office.

At the ports of embarkation in this kingdom, and at the several ports of entry in the Colonies, officers in the employment of the Government will be instructed to afford to the Emigrants such advice and guidance as may most effectually protect them against the embarrassment and deception to which they might otherwise be exposed.

At the present advanced season of the year, the Commissioners for Emigration do not deem it expedient to enter into agreements for the conveyance of Emigrants to the North American Provinces, and they have therefore confined their attention to the Australian Colonies. The accompanying statement embraces the details which have been collected as best calculated to convey useful knowledge respecting those Colonies.

Although the Commissioners will communicate such practical information as they have already obtained, or may hereafter procure, respecting Emigration to the British Colonies, to any class of His Majesty's subjects whom it may concern; it should be understood that their chief object is to render their assistance for the emigration of such persons, with their families, as have been accustomed to earn their subsistence by manual labour, such as agriculturalists, artisans or mechanics.

By order of the Commissioners for Emigration,

T. Frederick Elliot,
 Secretary to the Commission.

(Enclosure 2, in No. 9.)

Colonial Office, 18th July 1831.

INFORMATION respecting the Australian Colonies.

The Commissioners for Emigration have collected the following information for the use of persons desirous of emigrating to New South Wales and Van Diemen's Land.

PRICE OF PASSAGE.

The Commissioners for Emigration have reason to expect, from the result of the inquiries which they have made on this subject, that passages can be provided for people of the working classes, including their maintenance during the voyage, at a charge not exceeding 16*l.* for adults, and 8*l.* for children. More exact particulars, and the precise charge for which passages can be provided, will be stated at the time of entering into the agreements with such persons as may apply to the Commissioners for that purpose.

PROBABILITY OF EMPLOYMENT AND RATES OF WAGES.

The Commissioners have examined a considerable number of letters upon these subjects from respectable inhabitants of New South Wales and Van Diemen's Land, and they find that

that all concur in representing the existence of a great demand for labour. These representations are further confirmed by official reports received from those Colonies by the Secretary of State.

The following general statements, collected from a variety of sources, will afford a view of the average rates of wages in the Australian Colonies :

Twenty-five or thirty pounds a year, besides board and lodging, seem to be the wages which are usually paid to common labourers; artisans of very ordinary qualifications are reported to find no difficulty in obtaining 50*l.* a year, besides board and lodging. The following advertisement, which appeared in the Sydney Gazette of the 12th August 1830, contains a list of several descriptions of workmen wanted at Sydney, as well as an account of the high wages which some of them might obtain.

ADVERTISEMENT FROM THE SYDNEY GAZETTE.

" Wanted, in Sydney, New South Wales, the following Tradesmen and Mechanics.

Bread and Biscuit Bakers	Glue Makers	Rope Makers
Butchers	Gilders	Reapers
* Boat Builders	Gunsmiths	
* Brick Makers	Hair Dressers	Saddlers
* Ditto Layers	Hat Makers	Shoemakers
Bellows Makers	— Finishers	* Sawyers
* Blacksmiths	* Harness Makers	Shipwrights
Bell Hangers	Horse Breakers	* Stone Masons
Brass Founders	Hoop Benders	* Stone Cutters
Brewers	* Joiners	* Stone Setters
Boatmen	Japanners	Stone Quarrymen
* Collar Makers	Ironmongers	Sail Makers
Confectioners	Iron Founders	* Slaters and Shinglers
Chair Makers	Leather Dressers	Shepherds
* Carriers	Line Burners	Sheepshearers
* Carpenters	Locksmiths	Soap Makers
* Caulkers		Sign Painters
* Coopers	Millers	Sailors
Cart Makers	Mealmen	Sail Cloth Makers
Coach Makers	* Millwrights	Sieve Makers
Compositors	Milliners	Starch Makers
Candle Makers	Maltsters	Straw Platters
Cabinet Makers	Mustard Makers	Straw Hat Makers
Cheese Makers	Milkmen	
Coach Spring Makers	Nurserymen	Turners
Cooks	Nailers	* Tanners
Colliers	Painters	Tailors
* Coppersmiths	Parchment Makers	Tin Plate Workers
Cutlers	Pump Makers	Tobacco Pipe Makers
Dyers	Plough Makers	Tobacco Growers
Dairywomen	Potters	Tallow Melters
Distillers	Paper Makers	
* Engineers	* Plasterers	Vine Dressers
Farriers	Ploughmen	Upholsterers
Flax Dressers	Provision Carers	
Fencers	Plumbers	Wheelwrights
Fellmongers	Printers and Pressmen	Wagon Makers
Gardeners		Wool Sorters
Glaziers	Quarrymen	Whalers
Glass Blowers	Quill Preparers	Weavers of Blankets and Coarse Woollen
		Wire Drawers
		Wood Splitters

" Those marked thus (*) are particularly wanted, and earn 10*s.* a day and upwards, *all the year round.* And Engineers and Millwrights earn 20*s.* a day.

" All articles of provision are very cheap, beef and mutton 2*d.* per lb. by the joint, and 3*d.* per lb. by the quarter or carcass. Tea (green) 1*s.* 6*d.*, sugar 3*d.* Indian corn 1*s.* 6*d.* per bushel, &c. &c."

The agent for New South Wales and Van Diemen's Land, in a letter addressed to the Chairman of the Emigration Committee in the year 1827, since which period the price of labour is understood to have risen, stated the rates of wages as follows:

Common Labourers	3 <i>s.</i> per day.
Common Mechanics	7 <i>s.</i> ditto.
2d. rate ditto	8 <i>s.</i> to 12 <i>s.</i>
3d. rate ditto	12 <i>s.</i> to 15 <i>s.</i>
And to Mechanics of peculiar qualifications, or Agricultural Labourers capable of managing a farm in the capacity of bailiff	£. 1 per day.

MARKET PRICES AT SYDNEY.

The Commissioners have collected from Newspapers published in New South Wales, the following Accountts of the Market Prices at Sydney on the first day of each Month during the Year 1830.

	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.
Wheat - - per bush.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Maize - - ditto	6 6	8 3	6 9	8 -	9 6	7 6	7 -	6 -	6 -	5 3	4 9	5 3
Oats - - ditto	5 -	3 9	3 6	4 6	3 9	4 3	3 9	1 10	1 9	1 8	1 10	2 -
Barley - - ditto	5 -	3 6	3 6	3 6	3 6	3 6	3 6	3 6	3 4	3 8	2 9	3 6
Potatoes - - per cut.	8 6	4 -	5 -	3 6	10 -	7 -	7 -	6 6	3 -	3 -	2 6	3 6
Butter (Fresh) - per lb.	1 9	1 3	1 -	5 6	1 -	9 -	9 -	1 -	1 6	1 9	1 2	9 6
Butter (Salt) - ditto	-	-	-	1 -	-	-	-	-	11 -	11 -	10 -	7 -
Cheese - - ditto	-	-	9 -	9 -	10 -	1 1	1 1	11 -	1 -	1 -	11 -	9 -
Eggs - - per dozen	1 9	1 6	3 -	2 9	2 6	2 -	2 -	1 -	1 -	9 -	10 -	9 -
Ducks - -	7 -	6 -	5 -	4 9	5 -	3 6	1 3	2 3	5 -	5 6	6 -	5 -
Fowls - - per pair	5 -	4 -	3 9	3 6	3 6	2 -	2 -	2 -	3 -	3 6	3 6	3 3
Geese - - ditto	16 -	11 3	10 -	9 -	10 -	10 -	10 -	10 6	10 6	10 6	12 -	10 -
Turkies - - ditto	1 -	16 -	12 -	12 -	12 6	10 6	10 -	9 6	12 6	14 -	13 -	12 -
Hay - - per ton	2 10	6 10	6 -	6 -	6 -	5 10	5 10	5 9 -	5 8 -	5 17 6	6 - 6	8 -
Straw - - per load	1 -	17 -	1 -	1 -	1 -	1 3	1 3	12 6	12 6	13 -	12 6	13 6
Bread - per 4 lb. loaf	-	10d. to 11d.	8d. to 9d.	7d. to 8d.	10d. to 11d.	8d. to 9d.	8d. to 9d.	8d. to 9d.	8d. to 9d.	7d. to 8d.	7d. to 8d.	8d.
Meat, per stone:												
Beef - -	-	1 3	1 3	1 3	1 3	1 3	1 3	1 2	1 9	2 -	1 6	2 4
Mutton - -	-	1 5	1 5	1 5	1 5	1 5	1 5	1 4	2 4	3 -	2 6	3 4
Pork - -	-	2 6	2 6	2 8	2 8	2 8	2 8	2 8	7 3	5 3	5 9	4 6
Veal - -	-	3 1	2 6	2 6	2 6	2 6	2 6	2 4	4 4	4 6	5 9	4 6
Flour, per 100 lb.												
Fine - -	1 2	1 6	17 6	17 6	1 7	1 -	1 -	18 -	17 -	15 -	13 -	13 -
Seconds - -	19 -	1 2	15 -	15 -	1 2	16 8	16 8	15 -	14 -	13 -	11 -	11 -

It is not necessary that Emigration to the Australian Colonies should be confined to any particular season, and the Commissioners for Emigration will therefore be ready immediately to afford their assistance, in the manner explained in the Circular No. 2, to persons desirous of going to New South Wales and Van Diemen's Land. In consequence, however, of the state of the population in the Australian Colonies, the Commissioners do not propose to take charge of the conveyance of any but married men and their families, or of females belonging to the labouring classes.

The Commissioners for Emigration take this opportunity of announcing, that they are not prepared to undertake the conveyance of Emigrants to the settlement on the Swan River.

(Enclosure 3, in No. 9.)

FORM to be filled up and returned to the Colonial Office, addressed to the Secretary of State for the Colonies, by Persons desirous of entering into Agreements for their Conveyance to the Colonies by the Commissioners for Emigration.

Name and Address of the Applicant.	
Age of the Applicant.	
His Trade or Calling.	
Whether Married or Single.	
If Married, the Age of his Wife.	
Names, and Dates of Birth, of his Children.	
If he intends to leave behind any of his Family, what Means they have of Subsistence.	
Place to which he wishes to go.	
What Funds he possesses, or can procure, to defray his Conveyance.	
Certificate of an Overseer, or of one or more respectable Housekeepers, that the Applicant is capable of earning his Livelihood by Labour.	
Statement of the Period at which the Applicant will be ready to embark.	

— No. 10. —

EXTRACT of a Despatch from Viscount *Goderich*, dated Downing-street, 28th April 1831, to Governor *Stirling*, Swan River.

" BY this opportunity you will receive His Majesty's Commission, under the Great Seal, appointing you Governor and Commander-in-Chief in and over the territories of Western Australia, together with the instructions under the Royal Sign Manual for your guidance in the execution of the duties of that appointment ;

1 March 1831.

24 Feb. 1831.

as likewise copies of the printed terms (in substitution for those previously issued) which have lately been circulated for the information of persons intending to become Settlers, and of the General Order which has been promulgated to the army in reference to military officers.

In a separate Despatch I shall enter at large into all the questions of a legal character to which you have called my attention. I shall therefore in this communication confine myself to those of a more general nature.

Of these, perhaps, the most important is that which relates to the mode in which Settlers are to receive their land. The inconvenience resulting from the regulations hitherto in force has been pointed out by yourself, and you have also recommended the adoption of the principle of sale which is established in America. I entirely concur in the reasons you assign for that recommendation. In New South Wales and Van Diemen's Land it has been found that the system of granting land has had the effect of encouraging the dispersion of Settlers over much too wide an extent of country, thereby greatly increasing the necessary expense of every branch of the public service, and producing many other inconveniences. It has on this account been determined to introduce into those Colonies the system of disposing of land by public sale, fixing a minimum price of 5s. an acre, below which no land is in future to be sold; and the same regulations are prescribed in the Royal Instructions with respect to the Colony of which you have the charge. The following extract from my Despatch to General Darling upon this subject will show how much importance I attach to the rule laid down, and the reasons which induced me to fix the price of land at the comparatively high rate therein stated.

Vide Despatch,
14 Feb. 1831.
No. 4.

The last paragraph of the Despatch from which the above extract is taken relates to the system already in force in New South Wales and Van Diemen's Land, of letting grazing land to the best bidder. It will probably be advisable to adopt a similar system in Western Australia. As it has, however, been found that the excessive multiplication of horned cattle has been productive of inconvenience in New South Wales, it is desirable that in transferring to Swan River the system of letting grazing land, you should if possible rather direct the attention of Settlers to the rearing of sheep, to which the same objections will not apply and which will in all probability prove the most certain source of wealth to the Colony.

Under the regulations for granting land hitherto in force with respect to Western Australia, an advantage has been given to persons sending out labourers to the Colony by allowing the money laid out in doing so to be reckoned as a part of the capital in proportion to which their grants were made. As this Colony will not have the advantage of convict labour, it is most desirable, with a view to secure a supply of free labourers, that this encouragement to persons willing to incur the expense of carrying them out should not be withdrawn. In consequence however of the change of system which has been determined upon, it will be necessary to afford this encouragement in a different manner. It is therefore provided by the new regulations, that 20*l.* shall be allowed in the purchases of land for every married labourer, with his family, who shall be landed in the Colony. This bounty is exclusively granted in favour of married labourers, in order to avoid encouraging an excess of male as compared to female Emigrants, which has been found exceedingly injurious in the two penal Colonies. In fixing its amount, my intention was to afford as much encouragement as possible without inconvenience, to the emigration of the class which can best be spared from this country and which is most needed in the Colony. You are however at liberty to augment the sum I have named, if, upon advising with your Council, you think proper to do so; and you will also make any regulations for securing its due application which you may find to be necessary.

On persons receiving land gratuitously it was necessary to impose certain conditions and restrictions, which are rendered needless by the system of sale. No man will pay for land of which it is not his intention really to make use. You will therefore impose on purchasers no conditions whatever except those specified in my separate Despatch, and you will leave to all persons the most unrestrained liberty of acquiring land in any quantity they may be able to pay for, and of again disposing of it, or of employing it as they may think proper. I have only to add on this subject, that I wish this change of system to come into immediate operation, except in the case of those persons who may already have made applications for land, and who might have grounds of complaint, if grants to which they have had reason to think themselves entitled, should now be withheld. No one individual should however receive more than 2,560 acres, the maximum grant under the old Regulations of New South Wales."

(Enclosure 1, in No. 10.)

INFORMATION for the use of those who may propose to embark as Settlers for the new Settlement in Western Australia.

It has been determined by His Majesty's Government that land shall in future be disposed of in Western Australia upon the same principles as in New South Wales and Van Diemen's Land; but the encouragement hitherto given to persons who might incur the expense of taking out labouring persons to the Colony, will not be entirely withdrawn at present.

The following is a summary of the rules which it has been thought fit to substitute for those dated the 20th of July 1830.

- 1.—A division of the whole territory into counties, hundreds and parishes, is in progress. When that division shall be completed, each parish will comprize an area of about twenty-five square miles.
- 2.—All the lands in the Colony not hitherto granted, and not appropriated for public purposes, will be put up to sale. The price will of course depend upon the quality of the land and its local situation; but no land will be sold below the rate of five shillings per acre.
- 3.—All persons proposing to purchase lands not advertized for sale, must transmit a written application to the Governor in a certain prescribed form, which will be delivered at the Surveyor General's Office to all persons applying, on payment of the requisite fee of two shillings and sixpence.
- 4.—Those persons who are desirous of purchasing will be allowed to select, within certain defined limits, such portions of land as they may wish to acquire in that manner. These portions of land will be advertized for sale for three calendar months, and will then be sold to the highest bidder, provided that such bidding shall at least amount to the price fixed by Article 2.
- 5.—A deposit of 10 per cent. upon the whole value of the purchase must be paid down at the time of sale, and the remainder must be paid within one calendar month from the day of sale, previous to which the purchaser will not be put in possession of the land; and in case of payment not being made within the prescribed period the sale will be considered void, and the deposit forfeited.
- 6.—On payment of the money a grant will be made, in fee-simple, to the purchaser, at the nominal quit-rent of a peppercorn. Previous to the delivery of such grant, a fee of forty shillings will be payable to the Colonial Secretary for preparing the grant, and another fee of five shillings for inrolling it.
- 7.—The land will generally be put up to sale in lots of one square mile or 640 acres; but smaller lots than 640 acres may under particular circumstances be purchased, on making application to the Governor in writing, with full explanations of the reasons for which the parties wish to purchase a smaller quantity.
- 8.—The Crown reserves to itself the right of making and constructing such roads and bridges, as may be necessary for public purposes, in all lands purchased as above; and also to such indigenous timber, stone and other materials, the produce of the land, as may be required for making and keeping the said roads and bridges in repair, and for any other public works. The Crown further reserves to itself all mines of precious metals.
- 9.—Those Settlers who may incur the expense of taking out labouring persons to the Settlement, will be entitled to an abatement of the price at which the land may have been purchased, at the rate of £.20 for the passage of every married labourer and his family.
- 10.—Persons claiming such an abatement from the price paid for land will be held responsible for any expense the Colonial authorities may be compelled to incur for the maintenance (during the first year after their arrival) of the labourers in respect of whom it has been allowed.

Colonial Office, 1st March 1831.

(Enclosure 2, in No. 10.)

GENERAL ORDER.

Horse Guards, 24th February 1831.

HIS MAJESTY'S Government having deemed it expedient to substitute new regulations for those hitherto in force concerning the system of granting land in the Australian Colonies, and under which no land will in future be disposed of otherwise than by public sale, it has become necessary to make a corresponding change in the arrangements which have been in force with respect to the Military Settlers, and which have been published to the Army in the General Orders, dated 8th June 1826, 16th May 1827, and 24th August 1827.

His Majesty has accordingly been graciously pleased to declare, that all the advantages held out to the officers of the Army under those Orders, as far as relates to the sale of commissions, shall continue and remain in force; and with a view that each individual officer may derive the same benefit from an allotment of land as has been held out in the said Orders respectively, His Majesty has been pleased to command that the following regulations shall be promulgated, for the information and guidance of officers who may be disposed to become settlers in New South Wales and Van Diemen's Land, in substitution for those contained in the General Orders above referred to.

The officers of the Army wishing to become settlers, shall, like all other individuals, procure land by purchase only at the public sales; but they will be entitled to a remission of the purchase money to the following amount, provided they shall produce testimonials of unexceptionable character from the General Commanding in Chief.

Officers who have served twenty years and upwards shall have a remission of £. 300.

Officers who have served fifteen years and upwards, £. 250.

Officers who have served ten years and upwards, £. 200.

Officers who have served seven years and less than ten, £. 150.

Each individual officer who may obtain this remission will be required to give security that he and his family shall reside at least seven years in the settlement; and he will also be required to provide for his own passage to the Colony, as well as for that of his family.

By Command of the Right Honourable the General Commanding in Chief,

John Macdonald, Adjutant General.

— No. 11. —

EXTRACT of a Despatch from Viscount *Goderich*, dated Downing-street, 28th April 1831, addressed to Governor *Stirling*, Swan River.

"THE series of Instructions, from the 26th to 32d clause, respecting the granting of waste land to private Settlers, together with my accompanying Despatch, will I trust place you in full possession of the views of His Majesty's Government on that important subject.

It however remains to be stated that the grants thus to be made should be drawn up in one uniform style. For your assistance I inclose the draft of such a Form of Grant as is fit to be adopted on every such occasion.

Connected with this subject, is the very important consideration which respects the alienation of lands by sale and conveyance. The difficulty of adopting the English system of conveyancing has been acknowledged in all Colonies dependent on the British Crown, and has been remedied in most by the introduction of two essential laws. The first establishes some simple forms, to the use of which is attributed the effect of a complete alienation and transfer from the seller to the buyer of the property. The second establishes a General Office of Registry, in which every transaction of this nature is recorded, and which record is declared essential to the validity of the transfer. You cannot too soon adopt regulations of this nature, and for your assistance I inclose a copy of an Act passed for a similar purpose in the Island of Van Diemen's Land. In a Settlement, of which the wealth and resources must to a great extent consist in agriculture, whatever tends to relieve the proprietors of the soil from uncertainty respecting their titles, or from embarrassment in the conveyance of their property, must eminently conduce to the general welfare."

(Enclosure 1, in No. 11.)

FORM I., to be used in favour of existing Grantees.

WILLIAM THE FOURTH by the Grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, &c. To all to whom these Presents shall come, Greeting: Know ye, That We of Our especial grace, certain knowledge and mere motion, have given and granted, and We do by these presents, for Us, Our heirs and successors, in consideration of the sum of _____ pounds to Us paid, give and grant unto A. B. C., &c. _____ as particularly marked and described in a Plan or Survey taken of the township of X., by Y. Z., Surveyor, A. D. 18 _____, together with all profits, commodities, hereditaments and appurtenances whatsoever thereunto belonging or in anywise appertaining, to have and to hold the said _____ of land, and all and singular the premises hereby granted, with their appurtenances, unto the said A. B. C., &c., his heirs and assigns for ever, he and they yielding and paying for the same to Us and Our heirs and successors one peppercorn of yearly rent, on the 25th of March in each year, or so soon thereafter as the same shall be lawfully demanded. In witness, &c.

(Enclosure 2, in No. 11.)

FORM to be used in favour of future Grantees.

N. B. All Grantees to whom the lithographed Notice of the 1st March 1831 has been delivered, are to be considered as in this class.

WILLIAM THE FOURTH by the Grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, &c. To all to whom these presents shall come, Greeting: Know ye, That We of Our especial grace, certain knowledge and mere motion, have given and granted, and We do by these presents, for Us, Our heirs and successors, in consideration of the sum of Pounds to Us paid, give and grant unto A. B. C., &c. as particularly marked and described in a Plan or Survey taken of the township of X., by Y. Z., Surveyor, A. D. 18 , together with all profits, commodities, hereditaments and appurtenances whatsoever thereunto belonging or in any-wise appertaining, to have and to hold the said of land, and all and singular the premises hereby granted, with their appurtenances, unto the said A. B. C., &c.

his heirs and assigns, for ever, he and they yielding and paying for the same to Us, Our heirs and successors, one peppercorn of yearly rent on the 25th of March in each year, or so soon thereafter as the same shall be lawfully demanded: Provided nevertheless, That it shall at all times be lawful for Us, Our heirs and successors, or for any person or persons acting in that behalf, by Our or their authority, to resume and enter upon possession of any part of the said lands which it may at any time by Us, Our heirs and successors, be deemed necessary to resume for making roads, canals, bridges, towing-paths or other works of public utility or convenience; and such lands so resumed to hold to Us, Our heirs and successors, as of Our and their former estate, without making to the said A. B. C., &c. their heirs or assigns, any compensation in respect thereof, so nevertheless that the lands so to be resumed shall not exceed one-twentieth part of the whole of the lands aforesaid, and that no such resumption shall be made of any lands upon which any buildings may have been erected, or which may be in use as gardens or otherwise for the more convenient occupation of any such buildings: And provided also, that it shall at all times be lawful for Us, Our heirs and successors, or for any person or persons acting in that behalf, by Our or their authority, to cut and take away any indigenous timber, and to carry away, search and dig for any stores or other materials which may be required for making or keeping in repair any roads, bridges, canals, towing-paths or other works of public convenience or utility: And We do hereby save and reserve to Us, Our heirs and successors, all mines of silver, gold and other precious metals in or under the said land, with full liberty at all times to search and dig for and carry away the same, and for that purpose to enter upon the said land, or any part thereof. In witness, &c.

(Enclosure 3, in No. 11.)

Anno Octavo Georgii IV. Regis.—No. 5.

By His Excellency Colonel *George Arthur*, Lieutenant Governor of the Island of *Van Diemen's Land* and its Dependencies, by and with the Advice of the Legislative Council.

[An Act to provide for the Registration of Deeds, Wills, Judgments and Conveyances effecting Real Property.]

WHEREAS it is expedient to prevent secret and fraudulent conveyances in this Island, and to provide means whereby the title of Real Property may be more certainly known:

I. Be it therefore, and it is hereby Enacted, by His Excellency the said Lieutenant Governor, by and with the advice of the Legislative Council, That from and after the first day of November now next ensuing, there shall be established at Hobart Town, in the said Island, a public office for the registration of conveyances, deeds and other instruments, wills and judgments, in manner hereinafter mentioned, such office to be held and executed by a fit and proper person as Registrar; and that from and after the establishment of such office, all conveyances and other deeds, wills and devises, and other instruments in writing now or hereafter to be made and executed, and all judgments now subsisting and unsatisfied, or hereafter to be obtained, (by which conveyances, deeds and other instruments, wills and judgments, any lands, tenements or hereditaments in Van Diemen's Land or its Dependencies, now are, or are intended to be, or shall or may hereafter be affected), may be entered and registered in the said office in the manner hereinafter respectively directed.

II. And be it further Enacted, That all such conveyances, deeds and other instruments in writing as aforesaid, which shall from and after the passing of this Act be made or executed, and all judgments which shall hereafter be obtained, which said conveyances, deeds and other instruments and judgments, shall be so registered in conformity with the provisions of this Act, shall be entitled to and be allowed and have priority over other conveyances, deeds and other instruments in writing, which shall be made or executed after the passing of this Act, and over judgments which shall be hereafter obtained, affecting or intending to affect the same lands, tenements and hereditaments, according to the priority of the time of such registration thereof; and all such conveyances and other deeds and instruments

instruments in writing, and judgments as last aforesaid, and all future devises which shall not be registered in conformity with the provisions of this Act, shall (as against any subsequent *bonâ fide* purchaser or mortgagee of the same lands, tenements and hereditaments, for valuable consideration) be and be adjudged absolutely null and void to all intents and purposes whatsoever; provided that nothing hereinbefore contained shall extend to or affect *bonâ fide* leases at rack-rent, for any term not exceeding fourteen years.

III. Provided always, and be it further Enacted, That all judgments hereafter to be obtained, and all conveyances, deeds, wills and other instruments hereafter to be made or executed, which shall be duly registered within the respective times next mentioned, (that is to say) all conveyances and other deeds and instruments, (except wills) which, (if executed in Van Diemen's Land or its Dependencies), shall be registered within one month, or which (if executed in New South Wales or its Dependencies) shall be registered within three months, or which (if executed in any other place) shall be registered within twelve months after the time of the execution thereof respectively, and all wills which (if the devisor die in Van Diemen's Land or its Dependencies), shall be registered within one month, or which (if the devisor die in New South Wales or its Dependencies) shall be registered within three months, or which (if the devisor die in any other place) shall be registered within twelve months after the decease of every devisor respectively, and all future judgments which shall be registered within one month after the time of the signing or recording thereof, shall severally be in like manner entitled to priority, and shall take effect respectively by relation to the date thereof only, and have and be allowed the same force and effect in all respects, as the same would have or be entitled to in case this Act had never been made; any thing hereinbefore contained to the contrary notwithstanding.

IV. And be it further Enacted, That the registration of all judgments, deeds, conveyances, wills and devises, and other instruments in writing, affecting or intending to affect any lands, tenements or hereditaments in Van Diemen's Land or its Dependencies, shall be made in the manner next mentioned, (that is to say) a memorial thereof shall be written on parchment and delivered into the said office, so to be established, signed (in case of deeds, conveyances and other instruments, except wills) by some or one of the parties to the original deed or instrument, or (if dead or absent from the Colony) then by one or more of the witnesses to such deed or instrument; and (in case of wills and devises) signed by some or one of the devisees, or his her or their guardians or trustees, and (in case of judgments) signed by the plaintiffs or plaintiff, or his her or their authorized agent; and every such memorial shall be verified by the oath of some competent person, that the same contains a just and true account of the several particulars therein set forth, which oath shall be made and taken before any Judge or Master in Chancery, or before the Registrar of Deeds so to be appointed, who is hereby authorized and empowered to administer the same.

V. And be it further Enacted, That every memorial of any judgment shall contain the following particulars, (that is to say) the names and additions of the plaintiffs and defendants respectively, the sums thereby recovered or secured, the time of the signing or entering up of the same, and the sum of money *bonâ fide* due thereon; and every memorial of any deed or conveyance, will or other instrument, shall contain and set forth the date of such deed, conveyance, will or other instrument, and the particular nature and object thereof, the names and additions of all the parties to such deed, conveyance or instrument, and of the devisor and devisee or devisees of such will, and the names and additions of all the witnesses thereto, and shall especially particularise and express the lands, tenements and hereditaments affected or intended to be affected by such deed, conveyance, will or instrument, and the proper and ordinary or accustomed names of the districts, towns or places where the same lands, tenements or hereditaments shall be situate, and (except in cases of wills) the pecuniary or other consideration for the same, and to whom and how paid, in the form or to the effect of the form set forth in the Schedule hereto annexed, marked (A.): Provided always, that where there shall be more writings than one for perfecting the same conveyance, devise or security affecting the same lands, tenements and hereditaments, all such writings shall be stated in one and the same memorial, in which memorial it shall be sufficient to particularise such lands, tenements and hereditaments once only.

VI. And be it further Enacted, That upon the delivery of any such memorial so verified as aforesaid, the same shall be numbered according to the order of time in which it shall have been so delivered, and the said Registrar so to be appointed shall give a receipt for the same, in which receipt shall be specified the certain day and time of day when the memorial shall have been so delivered into his office, and the proper number thereof in the said office, and he shall also in like manner immediately endorse on the back of such memorial a certificate containing the said day and time of day when the same was so delivered, and the name and place of abode of the person verifying the same, and shall sign the said certificate when so endorsed, and such certificate shall be taken and allowed as evidence of the registration and time of registration of every such judgment, conveyance, deed, will, devise and instrument whereof such memorial shall be so made.

VII. And be it further Enacted, That every such memorial shall, as soon after the receipt thereof as practicable, be carefully registered by the Registrar, in regular succession, as received according to its proper number, in a particular book, to be kept by him for that purpose, and shall afterwards be deposited by him in some secure place in his office, and there kept for future reference when required; and he shall also keep an

Alphabetical Index of the Districts, Towns and Places mentioned in every such memorial; and also, a like Index or Indexes of the Names of the several parties to conveyances and other deeds and instruments, and of devisors and devisees in wills, and of the plaintiffs and defendants in case of judgments, with accurate references in all such Indexes respectively to the number and page of Registry of the memorial to which any entry in such Index or Indexes shall relate, which said Book of Registry and Index or Indexes shall be open at convenient times, in the said office, to the inspection of persons desirous of searching the same.

VIII. And be it further Enacted, That in case of mortgages and judgments registered in pursuance of this Act, if at any time afterwards such verified certificate as is hereinafter next mentioned shall be brought to the said Registrar, signed by the respective mortgagors or mortgagees, or plaintiffs and defendants, or their agents respectively, and attested by two credible witnesses, whereby it shall appear that the whole of the monies due on any such mortgage or judgment have been fully paid, or that such mortgage or judgment is otherwise satisfied, then the said Registrar shall make a short entry or memorandum thereof on the memorial, and in the margin of the Registry of such mortgage or judgment, and shall afterwards carefully register the same certificate in one of the Registrar Books of his office, and the said Registrar shall also make an entry thereof in his Alphabetical Index or Indexes, referring accurately to the page of registry of such certificate.

IX. And be it further Enacted, That every such certificate shall contain the following particulars, (that is to say) in case of judgments, the names and additions of the plaintiffs and defendants, the time of the entering up or signing thereof, the sum or sums thereby recovered, and the date or dates of payment, or other satisfaction of the amount *bond fide* due thereon, and in case of mortgages, the names and additions of the original parties, the date of the instrument, the sum thereby secured, and the time or times of payment or other satisfaction thereof; and every such certificate shall be verified by the oath of some competent person, that the same contains a just and true account of the several particulars therein set forth, which oath shall be made and taken before any Judge or Master in Chancery, or before the said Registrar, who is hereby authorized to administer the same; and on the back of such verified certificate, the Registrar shall immediately endorse the date when the same was received by him, and the name and place of abode of the person verifying the same; and the said certificate shall, after being so endorsed and entered as aforesaid, be safely kept in his office for future reference when required.

X. And be it further Enacted, That it shall be lawful for any person or persons whatsoever to deposit in the said Register Office for safe custody, any conveyance, deed, power of attorney, or instrument in writing whatsoever, or his or her last will and testament, of which deeds, conveyances, wills or other instruments, the said Registrar shall (first giving a receipt for the same) immediately make an entry or entries, in a book to be kept for that purpose, to which book he shall keep an accurate alphabetical index, having reference therein as well to the name of the testator or parties to each such deed or instrument, as to the person or persons depositing the same; and the said Registrar shall carefully and securely keep all such deeds, wills or other instruments in his said office until required by the party or parties so depositing the same, to deliver them back again: Provided that every such will and testament shall be inclosed within a cover or envelope, sealed with the seal of the testator or testatrix, whose name shall be endorsed by the Registrar on such envelope or cover, and every such will shall remain in the said office until the decease of the testator or testatrix (unless he or she shall previously require the same to be delivered back); and upon the death of the testator or testatrix, the said Registrar shall (after examining such will) deliver the same to the executor first named therein, or to such other person as the Chief Justice of the Supreme Court shall upon petition order.

XI. And be it further Enacted, That if the said Registrar, or any clerk or person employed in the said Register Office, shall wilfully neglect or omit to number, register or enter in manner hereinbefore directed, any memorial or certificate delivered into the said office, he shall for every such offence forfeit and be liable to pay to His Majesty, His heirs and successors, the penalty or sum of One hundred Pounds, and be further liable in damages to the party injured, to the extent of the loss or injury sustained; and if the said Registrar, or any clerk or person whatsoever, shall wilfully destroy, embezzle or secrete, forge, counterfeit, raze, deface or alter any memorial, or any part thereof, or any indorsement made thereon, or any entry or registry thereof in any book in the said office, with intent to defraud or injure any person or persons, such Registrar, clerk or person so offending shall be (and be deemed to be) guilty of felony, and being thereof duly convicted, shall suffer death without benefit of clergy.

XII. And be it further Enacted, That the several fees or sums of money, mentioned and appointed in and by the Schedule hereunto annexed, marked (B.) shall be demanded by and paid to the said Registrar, for and in respect of the several matters and things to be by him performed and done under or by virtue of this Act, and no higher or other fees; of all which said fees which shall be received by him, a true and regular account shall be kept by him in his said office; and the same having been first sworn to by him as true before some Justice of the Peace, shall be by him produced and delivered to the Auditor of Civil Accounts at the end of every quarter in every year.

George Arthur.

Passed the Council this 22d day of September 1827.

John Montagu, Clerk of the Council.

SCHEDULE (A.)

- 1.—Date of will or instrument.
- 2.—Nature and object thereof.
- 3.—Names and additions of the parties, or devisors and devisees.
- 4.—Names and additions of the witnesses thereto.
- 5.—Description of the lands or property conveyed in or affected by the deed or will.
- 6.—Name of the district or place where situate.
- 7.—Consideration, and to whom and how paid.
- 8.—Any other particulars that the case may require.

SCHEDULE (B.)

SCHEDULE or TABLE of FEES to be taken in the Register Office.

	£.	s.	d.
1.—For receiving each Memorial or verified Certificate - - - -	-	2	6
2.—For giving a Receipt for, and afterwards entering and registering the same - - - -	-	7	6
3.—For receiving every Will - - - - -	-	5	-
4.—For receiving every Deed or other Instrument - - - - -	-	5	-
5.—For each Search - - - - -	-	2	6
6.—For copy or other particulars of any Memorial or Certificate - - - -	-	7	6

NEW SOUTH WALES, &c.
(CROWN LANDS AND EMIGRATION.)

RETURN to an Address to His Majesty,
dated 14 September 1831 :—for,

COPIES of the ROYAL INSTRUCTIONS to the
GOVERNORS of *New South Wales*, *Van Diemen's
Land*, and *Western Australia*, as to the mode to
be adopted in disposing of CROWN LANDS;
together with such parts of any Despatches ad-
dressed to them as relate to the same Subject, or
to the Means by which EMIGRATION may be
facilitated.

Ordered, by The House of Commons, to be Printed,
13 October 1831.

NEW SOUTH WALES.

RETURN to an Address to HIS MAJESTY, dated 19 July 1831;—for,

**COPIES of INSTRUCTIONS given by HIS MAJESTY'S SECRETARY of STATE
for the COLONIES, for promoting the MORAL and RELIGIOUS INSTRUCTION of
the ABORIGINAL INHABITANTS of *New Holland* or *Van Diemen's Land*.**

Colonial Office, Downing Street, }
23 Sept. 1831.

H O W I C K.

*Ordered, by The House of Commons, to be Printed,
23 September 1831.*

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NEW SOUTH WALES.

COPIES of INSTRUCTIONS given by HIS MAJESTY'S SECRETARY of STATE
for the COLONIES, for promoting the MORAL and RELIGIOUS INSTRUCTION of
the ABORIGINAL INHABITANTS of *New Holland* or *Van Diemen's Land*.

No. 1.

DESPATCH from Governor *Macquarrie* to Earl *Bathurst*, K. G.,
&c. &c. &c.

Government House, Sydney, New South Wales,
24th February 1820.

MY LORD,

THE subject of the Native Institution some years since established by me. at Parramatta, which has excited a very considerable interest generally on its behalf, as well from the principle of humanity which first gave rise to it, as also from the degree of success with which it has been heretofore attended; having also particularly attracted the attention of the Reverend Mr. Cartwright, one of the Colonial Chaplains, who is a most exemplary and benevolent man, he has turned his thoughts seriously towards the means of ameliorating the situation of the Natives, and of conveying education and habits of industry to the young of both sexes among them, by extending the scale of benefit and improvement derivable from the present Institution; and for this worthy purpose has lately furnished me with a Prospectus of such a plan for a Native Establishment as he deems adequate to the contemplated objects.

Having perused Mr. Cartwright's Plan with much attention, I am inclined, not only to yield him the highest praise for the zeal which has actuated him on the occasion, but feeling also fully satisfied with the justness of his hints and observations, have been led so far to approve of it, as to sanction its being carried at an early day into effect.

I do myself the honour to transmit your Lordship herewith Copies of the Letters addressed to me on this humane subject by Mr. Cartwright, which I trust will induce your Lordship also to sanction and approve of the proposed Establishment, on the grounds urged by Mr. Cartwright.

The rapid increase of British population, and the consequent occupancy of the lands formerly dwelt on by the Natives, having driven these harmless creatures to more remote situations, it is my purpose to form the proposed Establishment in the distant fertile tract of country lately discovered by Mr. Thorsby, which will bring it nearer to their present place of inhabitation, and at the same time render it less subject to be disturbed by vagrants than if it were placed in the settled districts; and it will have a further advantage from the circumstance of the lands in this new country not being appropriated, whereby I will be enabled to assign a suitable portion of land for the necessary buildings, and the great object of cultivation in which these Natives are to be instructed.

For the purpose of erecting a village and holding out ample encouragement to the industry of the Natives who are expected to enter into the Institution, I propose to assign a proportion of land to the extent of ten thousand acres for their permanent benefit; and I beg to express the confident hope that your Lordship will approve of this measure, as one worthy of British feelings to a harmless race, who have been, without a struggle, driven by the progress of British industry from their ancient place of inhabitation.

I have the honour to be, &c.

(signed)

L. Macquarrie.

LETTER from the Rev. *Robert Cartwright* to His Excellency Governor *Macquarrie*,
&c. &c. &c.

SIR,

Windsor, Dec. 6, 1819.

I PRESUME I need make no apology for troubling your Excellency on a subject in which you have been pleased to declare you feel particularly interested, and of which indeed you have given a proof in that excellent Institution which your Excellency established five years ago at Parramatta, for the civilization, care and education of the Aborigines of New Holland. From the distinguished character of the British Nation for benevolence, justice and piety, I feel equally confident that His Majesty's Ministers will consider it an additional gem in the British Crown to admit the sable proprietors of this land to the rank of British subjects; and having so amply provided the wealthiest parts of His Majesty's Foreign Dominions with an Ecclesiastical Establishment, they will not leave this abject, wretched race entirely destitute of the means of grace and salvation; but they necessarily wait to be instructed in what manner this injured race can be benefited, which is the subject and intention of the present interruption.

Your Excellency has led the way in this glorious cause, while others have attempted to discover new roads; but from my knowledge of the country and its inhabitants, I will venture to predict that there can be found no path so easy of access, and sure of leading us to the object of our wishes, as that which your Excellency has so clearly marked out. There can be no doubt of the success of a general Establishment of Schools for the young. Confidence has not only inspired the breasts of these poor savages, but a general desire has been excited in them by the experiment your Excellency has made, to have their children educated and provided for. And I think it will now be admitted by every candid person, that the materials we have to work upon, although extremely rude, are nevertheless good. Buried as is the intellect of these savages in Augean filth, we may yet find gems of the first magnitude and brilliance. Local circumstances may render it necessary to adopt a mode somewhat peculiar to ourselves in pursuit of this plan; yet I think even this consideration may be rendered subservient to the general good of the whole; as, for instance, to keep these black Natives entirely separate from our people till the Institution is become sufficiently strong, and the work of civilization so far advanced as to be proof against the evil practices and examples of our depraved countrymen. But in order to effect this, allow me to say, Sir, that the little seed which your Excellency has gathered must be carefully deposited in the field intended for future labours; otherwise I fear the work must necessarily be retarded, and the success yet appear doubtful.

Your Excellency needs not to be reminded of the liability there is in the best civilized societies to be turned aside from the path of rectitude by bad example, and a natural aptitude in the very best men to err; and flattering as these prospects are, I am sure your Excellency will admit, that these sable youths are not out of the reach of such baneful influence. Moreover the small number of black children that have benefited by the Native Institution may very properly be considered as the first fruits of the harvest, and a pledge of your future success. These may yet become the most active and useful instruments in this work of civilizing their savage kindred. This sentiment appeared to me of such vast importance to the welfare of the Institution, that I thought it my duty to call your Excellency's attention to it, when informed of the intention of the Committee to apprentice the boys to the most useful mechanical trades, and to put the girls out to service. From my long experience of men and things, and more particularly during the last ten years, in which I have resided in this Colony, I confess my spirit was damped at the mention of such a measure, perceiving no cause to believe it would tend to the moral and spiritual improvement of these savage youths. The only security for their gradual and real improvement, and which is the opinion of many with whom I have conversed on the subject, is to keep them as much and as long separate as possible from the bad example of those around them. And if the British Government would locate a quantity of land, and afford other indulgences to this Institution similar to what it has done for our Orphan Institution, and for the comfort of those who have been sent here for their crimes, but in some remote and fertile part of the Colony, and there form a settlement and a seminary for these black Natives, on a good solid plan, for their improvement in the knowledge of our useful arts, as well as in the knowledge and practice of our most holy religion, I think no person will venture to deny that such a plan, so consonant both with reason and revelation, is not likely to insure the most certain, ample and speedy success. Here both boys and girls should be kept usefully employed till they become men and women, and are inclined to be or are capable of becoming settlers; and then, if they should marry, I would recommend a small portion of this land, with stock and other necessities, to be given to them according to their merit. Such an Institution, when once properly established, if managed right, would, I conceive, be carried on with comparatively little expense, since we might reasonably expect it would in great measure supply its own wants, and in time become a most useful and important member of our community. To convince your Excellency that such are not merely the hasty thoughts of a moment, I now take the liberty to transmit for your Excellency's perusal a rough sketch of my plan, intended, when complete, to convey my sentiments on this very important subject in a kind of verse, supposing this the best mode of exciting public attention to a thing I have for a long time past had so much at heart, but have wanted courage hitherto to make it known, hoping that the wisdom and zeal of others might supersede the necessity of such a declaration of such sentiment; and I beg to assure your Excellency, that nothing but

but the fullest conviction of the necessity of the case would have caused me to presume to have the air of interrupting gentlemen in the pursuit of a cause which is so truly philanthropic.

To convince your Excellency of my sincerity, if your Excellency should be inclined to adopt these measures in furtherance of your own plan, and may think me a proper person to undertake the execution of it, I now beg leave to offer you my services for the work. Although I had fully resolved never again to engage in any civil office, and after nearly seven years' active service as a magistrate in the populous and extensive settlements of the Hawkesbury, notwithstanding your Excellency's very favourable opinion and earnest wish that I would continue to fill that office, did really consider it my duty to decline such honour, yet as I now perceive an interest of infinitely greater importance to the welfare of this Colony, to the British Nation and to the world at large, I recal that resolution, and now offer my services in any capacity that His Majesty's Ministers and your Excellency may think consistent with the character of a clergyman of the Church of England; and I beg leave to say, that I will undertake the sole management and superintendence of this proposed Settlement; and will pledge myself to find suitable persons in this Colony to act under me, who will, I flatter myself, feel equally zealous to promote the welfare of this most important and glorious design.

I have the honour to be,

SIR,

Your Excellency's most obedient humble Servant,

(signed) *Robt Cartwright.*

(True copy.) *J. F. Campbell, Secretary.*

LETTER from the Rev. *Robert Cartwright* to His Excellency Governor *Macquarie*,
&c. &c. &c.

SIR,

Liverpool, Jan. 18, 1820.

I FEEL much gratified in the honour done me by your Excellency's letter. At the same time, I must disclaim all pretensions to merit on the score of originalness. The plan for the Civilization of the Aborigines of this country evidently belongs to your Excellency; and I am persuaded that, however matured and extended it may be, its origin will easily be discovered in the birth of the Native Institution.

I confess I should be proud of the honour of being appointed the first Chaplain to such Establishment; an Institution which, whether it be considered in a political or religious view, in my opinion far exceeds every other that has yet been attempted in this Colony, and which, if pursued as your Excellency proposes, I doubt not, will exceed the most sanguine expectations of its warmest admirers.

I am persuaded the Native Institution has suffered materially since Mr. Shelly's death, for want of a proper Superintendent, who could feel a real interest in its welfare. Perhaps if, in the first instance, it had been established in the country under the immediate inspection of a Clergyman, it might have been better. However, be this as it may, I think it is now generally admitted, that it would be best on all accounts to remove the Institution from Parramatta; but in what part of the country it may be best to establish it, must remain for your Excellency to determine. I need not to remind your Excellency, that in the choice of a situation there are two qualities indispensably requisite—fertility of soil and a plentiful supply of good water. Perhaps a situation remote from our Settlements may be as congenial to the growth of such Institution as one immediately connected with it: but of this, I confess, I am unable to decide. Perhaps in giving an opinion of this sort, I might reason myself into an opposite opinion, and make choice of a station nearer home. The immediate and important necessity of the appointment of another Clergyman in these Districts, who might be able to attend to both these duties, would certainly have great weight in influencing such decision; and I have often thought, that a more proper place cannot be found than the Cow Pastures for such Native Settlement. If a westerly line were marked from Messrs. Davidson's and M'Arthur's Boundary, extending to the vicinity of Mount Hunter, or beyond it, and then turn due north to the Warragamba River, taking the Nepean for its other boundary, I think it would inclose a tract of country such as can no where else be found possessing equal advantages for the purposes intended. The north-west extremity may be admirably situated for vineyards, tobacco plantations, &c. and the eastern part would afford a most admirable site for the Town through or near to which the great road to the New Country may pass. Other parts of the District would for years be shut out by the River, &c. from all communication with the White People. At the same time the whole Settlement would be sufficiently near for the mutual benefit of both.

On the other hand, I conceive a material objection to a more remote part of the country is the difficulty there would be to induce those Natives whom it is our primary duty to serve, to go beyond this quarter, at least sufficiently distant from their native place to insure similar advantages. I have taken the liberty to make these remarks for your Excellency's consideration. The duty itself is of such a magnitude, that I would not suffer any private consideration to prevent me giving it the most serious and unremitting attention. If your Excellency disapprove of the Cow Pastures, and feel a desire that I would accompany Mr. Throsby in any of his excursions into the New Country, I shall feel a pleasure in complying with your Excellency's wishes as soon as my family are settled here. I now beg

leave to make a few remarks in reference to the Tenth Rule of the Institution, and observe that the most frugal and beneficial mode of locating lands for the use of the adult Natives is to apportion small allotments in a Town, to such as are inclined to settle, where I am persuaded every thing at first must be done for them. On this plan, a few of every Tribe may be induced to sit down together in small adjoining allotments, or in one general square, appropriated for the use of that particular Tribe; and whenever any of the families belonging to such Tribe are inclined to settle, it would be proper to assist in separating a small portion of such land for their particular use. Although there may be difficulties attending this plan of settling the adults, from all that I have seen, I am persuaded it is the only practicable one. Indeed I have my doubts whether any of those Natives which your Excellency has settled even in their own native districts will turn out well. At all events, I expect to see little good result from such a mode of settling them amongst the White People. Whenever one or other of these Natives settle, as in the instance of the South Creek Chief, who is one of the best, the rest forsake him, which is a trial too great for these savages, who have ever been accustomed to wander about in companies. But should an individual belonging to any distant Tribe be induced to settle in a Town composed almost exclusively of their own people, and where, perhaps, they or their friends have children in the Establishment, this would be inducement enough to engage him to remain there at least the greatest part of the year; and it is probable he may in time be completely weaned from his roving habits, and glad to avail himself of such an asylum in his old age.

In thus preparing for these savages, I would not, in the first instance, build houses or huts for them, but only clear and inclose the proposed square for each tribe. Having to provide food for them, at least for a time, I should do no more than what may be absolutely necessary to attach them to the place, or excite them to industry and virtue. I should rather leave them to find out and supply their other wants, and thereby learn to know the value of civilized life. It is to their children that I would direct my chief attention; and by teaching them to provide the necessaries and comforts of life for their parents, endeavour to unite the whole of this glorious fabric by a cement which cannot be broken. The situation chosen, there should, as soon as possible, be about four hundred acres of ground cleared; and in order to expedite the work, the sawyers and brickmakers should, in the mean time, be preparing materials for the different buildings that may be necessary. Your Excellency would of course appoint a Superintendent, who might always be on the spot, and some wise regulations may be necessary to insure its speedy completion. I think I can recommend a proper person for the office, and who would be a fit person hereafter to superintend the agricultural concerns, common manufactories, and keep the accounts of the Institution. The first building I propose to be erected is a shell of the workshops, which I recommend shall surround about an acre of ground, in the centre of one of the proposed squares of the Town, each square containing about ten acres; two sides of which inner square to have a building, close logged with the timber which may be cut down on the spot, and prepared when green; the other two sides or ends to be inclosed by a brick wall, with the gateway or public entrance. This building and lumber-yard may serve for various uses in the prosecution of the work, and hereafter afford convenience enough to the Institution for the purposes of warehouses, workshops, &c. Several plain substantial cottages should be erected on the same plot, on the outside of the inner square, which may serve for the convenience, protection and appearance of this part of the Establishment. These small houses are intended for the different mechanics, whose business it may be to instruct the children in the knowledge of their art.

In another square I propose to build a good substantial residence for the Chaplain and Principal of the Settlement, and, as an appendage to which, a good Library; which room may serve for a place of worship till a Church can be built; and whilst that is in doing, I have no doubt a good collection of books may be made for the use of the Public in general, as well as the Institution in particular. Two Schools, one for boys and the other for girls, should be erected as soon as possible: these I recommend to be plain strong buildings on a ground floor, or rather composed of three buildings each; that is, a neat small Cottage in the centre for the Master and Mistress, the Kitchen and Offices on one side, and the School-room on the other. There should be an additional Work-room for the girls, as it would be highly improper to let them work with the men and boys in the general manufactory; their work ought rather to be brought to the school, where they might learn to pick, card, and spin wool, and work it into stockings or various other things, also to spin flax, &c.; to sew and make up every article of dress; to learn every thing belonging to housewifery. The public kitchen may be within their province, and be so contrived that they may cook for the Boys' School as well as their own; and also provide a cheap daily meal, from kitchen fragments and garden stuff, for all their poor sable visitants. This I am confident may be done at a twentieth part of the expense it would be to give bread and meat, &c. in the usual way it is done to beggars, and be much more satisfactory; in short, such an expense would not be perceived when once the Institution was properly established. Economy is the life of such an Institution, and therefore cannot be too carefully preserved. The boys, on the other hand, may have the public garden to attend to, and provide vegetables for the whole. As the hope of honour and reward is a most powerful incentive to industry and improvement, it would certainly tend to promote the interest of the Institution, as well as the benefit of the whole Colony, if such Establishment were formed at no great distance from our Settlement; for I will venture to predict, that the time is not far distant when, at our public annual exhibitions, these sable Australians will enter the lists with our more highly-favoured Albion's sons, and bear away the prize of merit. As it would be matter of no small entertainment and

and profit, I shall be anxious to produce every year, not only good readers and writers, and those who can give a reasonable and scriptural account of their faith and practice in religious matters, but also those who are well skilled in every branch of rural economy.

This Colony, I am persuaded, would not only experience relief in the disappearing of those companies of black savage beggars, which are likely to become a pest in town and country, but would find a protection and powerful ally in such an Establishment, and, I may add, an example to be admired and imitated.

Your Excellency will perceive that I am sanguine in the cause; but I think I cannot be too much so in such a godlike undertaking. Some persons may ridicule the attempt, but I trust I have learned to call no man master on earth in matters of such vast moment. I know my own motives and the ground I stand upon. Nothing else would have caused me to make the strong declaration I did some time since to your Excellency, when the Judge Advocate was present, in reference to that new Society attempted to be formed at Sydney, "for the benefit of all the Islands in the South Seas who are or may be within the territory of the British Colony of New South Wales, and to aid all missions and measures that have been or hereafter may be established or proposed for the pious and peaceable propagation of Christianity among the heathens."

Should it be your Excellency's determination to form the proposed township in the Cow Pastures, I flatter myself there are several gentlemen in that neighbourhood who will gladly render me every assistance in their power. I should likewise be able to take a very active part in it myself, and attend to my other duties in these extensive districts.

In the event of my leaving Liverpool, I feel very desirous, on many accounts, that my son should be appointed to succeed me at this station. Such arrangement would add much to the comfort of my family, and, I trust, to the general good of the Service. Your Excellency was kind enough to offer me your interest, some time ago, in his behalf; but as I did not then know whether my family would remain in the Colony, I declined troubling your Excellency on his account. I now feel anxious to avail myself of your kind offer of giving me a letter of recommendation to His Majesty's Minister, Lord Bathurst, to obtain an appointment for him in this Colony; and as it is proper your Excellency should have a knowledge of his character, I have taken the liberty to inclose for your perusal one of his Letters to me, by which I think you may form an opinion both of his learning and piety. I suppose he has at this time taken his first degree at the University, but owing to his age cannot be ordained deacon till next June, and, according to the rules of the Church, may be obliged to wait another year for full orders. This rule is, however, often dispensed with; and as such delay may be prejudicial to the public service as well as to our private interests, I shall feel particularly obliged to your Excellency if you will have the goodness to recommend his appointment to take place immediately, that he may have an opportunity of embracing the first favourable conveyance to this country. I cannot help entertaining a confident hope of finding in my son a most valuable coadjutor in this work of civilization; and I am sure it will be a pleasing reflection to your Excellency, when retired from the toil and bustle of public life, and observing the expensive means adopted, and the strenuous exertions used by all ranks in the British Nation, and of Christians throughout the world, for the propagation of the Christian faith, to see that, with comparatively such insignificant means and trifling expense, you were enabled to lay the foundation for the civilization and evangelization of the largest Island and the most abject race of savages in the known world.

Indeed if a thought of being thus made instrumental of so much good to our fellow creatures, and of giving so much glory to God, will not counterbalance all the troubles of this mortal life, and afford divinest consolation, surely no human art will.

Your Excellency and Mrs. Macquarrie having expressed in such high terms your approbation of my poem, "Macquarrie City," I have determined to transmit it by the first conveyance to my son at Cambridge, desiring him, after he has made the necessary corrections and improvements in it, to get it printed at the University.

I have taken the liberty of dedicating it to the honourable Founder and Patron of the Native Institution.

With great deference I have the honour to be,

Your Excellency's most obedient humble Servant,

(signed) *Robert Cartwright.*

(True Copy.)

J. F. Campbell, Secretary.

No. 2.

DESPATCH from Sir *Thomas Brisbane* to Earl *Bathurst*, K. G.,
&c. &c. &c.

Government House, New South Wales,
8th February 1825.

MY LORD,

THE inclosed Copy of a Deed of Trust, which I have the honour to transmit, has been executed, subject to your Lordship's approval, in furtherance of the endeavours of the London Missionary Society to improve the condition of the Aborigines of New South Wales.

The success of the Members of the Society in the South Seas has induced me to accede to the application which has led to this appropriation of so large a tract of land.

I understand that a condition will be proposed to your Lordship in London, securing the reversion to the Crown in case of the failure of the present project.

I have the honour to be, &c.

(signed) *Tho^r Brisbane.*

BY HIS EXCELLENCY SIR THOMAS BRISBANE.

KNOW all men by these Presents, That whereas the Reverend Daniel Tyerman and George Bennet, Esquire, the Members of a Deputation sent by the London Missionary Society to visit and establish Missionaries in the South Seas and the East, have undertaken, on behalf of their Society, to provide for the maintenance of one Missionary or more, to be settled in New South Wales, for the improvement of the religious and civil condition of the Aborigines thereof: And whereas, in furtherance of their benevolent design, I have ordered that Ten thousand Acres of Land, suitably situated in the said Colony, be reserved for the use of the Aborigines, and be subject to such appropriation and appointment as hereinafter expressed: NOW therefore, by virtue of my authority as Governor of the said Colony, and in order that the interests of the Crown and the aforesaid objects may be duly protected, I do nominate the Reverend Samuel Marsden, being a Life Director of the said London Missionary Society; John Oxley, Esquire, Surveyor General of New South Wales; William Wemyss, Esquire, Deputy Commissary General; Edward Riley, Esquire, Alexander Berry, Esquire, Robert Campbell, Esquire, all of Sydney; and Francis Allman, Esquire, Commandant of Newcastle, to be Trustees of the Land to be hereafter granted, and now reserved for the purpose aforesaid: That is to say, Ten thousand Acres, more or less, to be duly marked out as soon as it can conveniently be surveyed; and the same Land shall be selected by the said Surveyor General and the said George Bennet and Daniel Tyerman, at or near an inlet called Yawanba, or Reid's Mistake; and it shall be settled in such manner, by Act of Council or otherwise, as may be approved by Earl Bathurst or His Majesty's Secretary of State for the Colonies; and the said Trustees shall hold the same upon the Trusts following: Not to alienate the said Land or any part thereof, or to make any sale, gift, settlement or demise thereof, or of any part thereof, at will for years, or for any other estate except as hereafter mentioned; that is to say, That they shall permit such person or persons to establish him, her or themselves on any part of the said Lands as may now or shall hereafter be appointed by the said Daniel Tyerman and George Bennet, or by the said London Missionary Society, with his, her or their attendants or servants, and that, at the request of the chief Appointee or Appointees aforesaid, they shall convey, and they are hereby empowered to convey, for terms of years or in tail, or in fee-simple, any portion of the said Lands not exceeding Thirty Acres, in such situation as the said Appointee or Appointees may select, to any Aboriginal Native, or to any offspring of black and white parents, subject to this condition, that the same shall not be sold, let or given to any white person: That at the request of such chief Appointee or Appointees as aforesaid of the said Daniel Tyerman, George Bennet, or of the London Missionary Society, the said Trustees shall give due notice to any intruders or trespassers, and take proper legal steps to remove them from the said Land; and that the expense of the said Trusts shall be defrayed by cutting timber on any part of the said Land, except what is actually under cultivation or reserved by the said chief Appointee or Appointees' directions for shelter or ornament; and no other timber shall be cut, except by the Aborigines or their descendants; always subject to the directions and approbation of the resident Missionary or Missionaries appointed or to be appointed as aforesaid, in the management of the said Lands, or his, her or their appropriation of any part thereof. And if any dissatisfaction shall arise between the said Trustees and the said Appointee or Appointees, the same shall be referred to the London Missionary Society; but if pressing danger shall arise to the objects of the said Charity, requiring, in the judgment of the said Trustees, immediate check, they shall apply to the Supreme Court of New South Wales for a remedy for the same; and the said Trustees shall in all respects, so far as their duty of Trustees of the said Lands requires, be guided by the following principle, on which the London Missionary Society is founded, which is as follows: "It is declared to be a *fundamental principle* of the London Missionary Society, that our design is not to send Presbyterianism, Independency, Episcopacy or any other form of Church Order and Government (about which there may be difference of opinions among serious persons), but that it shall be left (as it ought to be left) to the minds of the persons whom God may call to the fellowship of His Son from among them, to assume for themselves such form of Church Government as to them shall appear most agreeable to the Word of God." And from time to time, when any of the said Trustees cease to be resident in New South Wales, they or the survivors of them or their successors, with the approbation of the Governor of New South Wales for the time being, shall appoint new Trustees in three months after a vacancy.

No. 3.

EXTRACT from HIS MAJESTY'S INSTRUCTIONS to Lieutenant-General *Darling*, as Governor of *New South Wales* and its Dependencies, 17 July 1825.

AND it is Our further will and pleasure, that you do to the utmost of your power promote religion and education among the Native Inhabitants of Our said Colony, or of the Lands and Islands thereto adjoining; and that you do especially take care to protect them in their persons and in the enjoyment of their possessions; and that you do by all lawful means prevent and restrain all violence and injustice which may in any manner be practised or attempted against them; and that you take such measures as may appear to you, with the advice of Our said Archdeacon, to be necessary for their conversion to the Christian faith, and for their advancement in civilization.

No. 4.

DESPATCH from Earl *Bathurst* to Lieutenant-General *Darling*, &c. &c. &c.

SIR,

Downing-street, 31 July 1825.

I HAVE received a Despatch from Sir Thomas Brisbane, dated the 8th February last, reporting that he had made over to the London Missionary Society a tract of 10,000 Acres, in furtherance of their endeavours to improve the condition of the Native Inhabitants of New South Wales; and his Despatch is accompanied by the Copy of the Deed by which this Land has been assigned in trust to the Members of the Society.

I have, in reply, to convey to you His Majesty's approbation of the grant which has been reserved by Sir Thomas Brisbane in furtherance of the object in question. I am not aware that there is any objection to the terms upon which it is proposed that the Trustees should hold the Land; but it appears very necessary that the condition alluded to in the last paragraph of Sir Thomas Brisbane's Despatch, "for securing the reversion of the Land to the Crown in case of the failure of the present project," should be attached to the grant which it is proposed should be made.

I have, &c.

(signed) *BATHURST.*

No. 5.

DESPATCH from Lieutenant-General *Darling* to the Earl *Bathurst*, K. G., &c. &c. &c.

MY LORD,

Government House, July 19, 1826.

I HAVE the honour to forward to your Lordship the accompanying Copy of a Letter addressed to me by the Attorney General, with the inclosed Deed of Trust in favour of the Church Missionary Society.

While on this subject, I beg to acquaint your Lordship that the Members of the Wesleyan Mission have made application for a similar grant of 10,000 Acres of Land, which I have declined complying with at present, as it may be desirable, previous to increasing these grants, to ascertain whether the object is duly attended to, and there are other bodies here who would no doubt apply for land on the same ground, should they find that grants were easily obtained.

I have the honour, &c.

(signed) *Ra. Darling.*

LETTER from S. *Bannister*, Esquire, to His Excellency Governor *Darling*.

SIR,

Sydney, 6th February 1826.

THE inclosed Deed of Trust, subject to The King's approval, was placed in my hands by His Excellency the late Governor.

The provisions of this Instrument are similar to those of a Deed made to the London Missionary Society; and if, as I understand, a grant is about to be made (one for 10,000 Acres) for the latter body, the provisions of this may be usefully consulted in framing it.

An addition of one or two Trustees will, I believe, be necessary in consequence of the decease of Mr. Riley, and, I think, the departure of another Gentleman from the Colony.

I have the honour, &c.

(signed) *S. Bannister.*

New South } By His Excellency Sir *Thomas Brisbane*, Knight, Commander of the
Wales. } Most Honourable Military Order of the Bath, Captain General and
Governor-in-Chief in and over His Majesty's Territory of New South
Wales and its Dependencies.

KNOW all men by these Presents, That a branch of "The Church Missionary Society for Africa and the East," instituted in London in the year 1800, having been established in Sydney on the 31st January 1825, with a special view to the improvement of the religious and civil condition of the Aborigines of New South Wales, and designated "The Auxiliary Church Missionary Society for Australasia, in union with the Church Missionary Society for Africa and the East," and it being intended to employ Missionaries among the Aborigines for the purpose above stated: And whereas, in aid of the benevolent design, I have ordered that (10,000) Ten thousand Acres of Land situated in the said Colony, be reserved for the use of the Aborigines, until the pleasure of His Majesty in this behalf shall be known, and to be subject to such appropriation and appointment as is hereinafter expressed: NOW therefore, by virtue of my authority as Governor of the said Colony, and in order that the interests of the Crown and the aforesaid objects may be duly protected, I do nominate the Reverend Samuel Marsden (being an Honorary Life Governor of the Society in London), A. K. Mackenzie, Esquire, and the Reverend Richard Hill, being the President, Treasurer and Secretary; also the Reverend William Cowper, the Reverend Robert Cartwright, the Reverend Thomas Hassall, William Carter, Esquire, and Hannibal M'Arthur, Esquire, being Members of the Committee of the aforesaid Auxiliary Society, to be Trustees of the Land to be hereafter granted, and now reserved for the purpose aforesaid; that is to say, (10,000) Ten thousand Acres, more or less, to be duly marked out as soon as it can conveniently be surveyed, after the said Land has been selected by the Trustees aforesaid, with my approbation, in the said Colony; and it shall be settled in such manner, by an Act of Council or otherwise, as may be approved by Earl Bathurst, or His Majesty's Secretary of State for the Colonies; and the said Trustees shall hold the same upon the Trusts following: Not to alienate the said land or any part thereof, or to make any sale, gift, settlement or demise thereof, or any part thereof, as well for years as for any other estate, except as hereinafter mentioned; that is to say, that they shall permit such person or persons to establish him, her or themselves on any part of the said lands as may now or shall hereafter be appointed by the said Auxiliary Church Missionary Society, or by the said Church Missionary Society, with his, her or their attendants or servants; and that at the request of the chief Appointee or Appointees, as aforesaid, they shall convey, with the approbation of the Committee for the time being of the aforesaid Auxiliary Church Missionary Society, and they are hereby empowered to convey, for a term of years or in tail, or in fee-simple, any portion of the said land not exceeding Thirty Acres, in such situations as the said Appointee or Appointees may select, to any Aboriginal Native, or to any man, woman or youth, the offspring of black and white parents; subject to this condition, that the same shall not be sold or given to any white person.

That, at the request of such chief Appointee or Appointees as aforesaid, or the Committee of the said Auxiliary Church Missionary Society, or the said Church Missionary Society, the said Trustees shall give due notice to any intruder or trespassers, and take proper legal steps to remove them from the said land.

And that the expense of the said trusts shall be defrayed by letting such portion or portions of the said lands as from time to time shall not be required for the immediate use of the Aboriginal Native Settler or Settlers, or by cutting timber on any part of the said lands, except what is actually under cultivation, or reserved by the said chief Appointee or Appointees' directions for shelter or ornament; and no other timber shall be cut except by the Aborigines or their descendants; always subject to the directions and approbation of the said Committee of the Auxiliary Church Missionary Society for Australasia.

That the said Trustees shall not in anywise permit their said trust to be converted to any other purpose but that for which it is specially intended, viz. the religious and moral improvement of the Aboriginal Natives of New South Wales, in union, under the directions and according to the principles of "The Church Missionary Society for Africa and the East."

And from time to time, when the number of the said Trustees, by death or other permanent removal from the Colony of New South Wales, or by resignation, is reduced to three, they or the survivor or survivors of them, with the advice and approbation of the Committee of the aforesaid "Auxiliary Church Missionary Society for Australasia," shall proceed immediately to nominate and appoint other Trustee or Trustees, in number in all not less than Seven; of which new appointment the President, Treasurer and Secretary for the time being of the said "Auxiliary Church Missionary Society" shall always form a part; but every and all other Trustees so nominated shall be first approved of by the Governor of New South Wales for the time being.

(signed) *Tho' Brisbane.*

No. 6.

DESPATCH from Earl *Bathurst* to Lieutenant-General *Darling*,
&c. &c. &c.

SIR,

Downing-street, 10th January 1827.

I HAVE the honour to acknowledge the receipt of your Despatch of the 19th of July 1826, forwarding the Copy of a Letter addressed to you by the Attorney General, with the inclosed Deed of Trust, signed by Sir Thomas Brisbane, in favour of the Church Missionary Society, by which a grant of 10,000 Acres is made to them in aid of their endeavours to improve the religious and civil condition of the Aborigines of New South Wales.

By the receipt of my Despatch of the 31st July 1825, you will have been apprised of His Majesty's approbation of the grant referred to in Sir Thomas Brisbane's Letter of 8th February 1825; but you will also have observed that a clause was directed to be inserted in the Instrument by which the Land was made over to the Society, stipulating that it should revert to the Crown in the event of the failure of the project in aid of which it was given. Although it would certainly have been more satisfactory if the same precaution had been adopted in this instance, as you have so properly observed with respect to a similar application from the Wesleyan Mission, yet as the second grant of 10,000 Acres, to which your Despatch refers, appears to have been finally agreed to by your predecessor, I am not disposed to object to the measure, provided the same condition in regard to the reversion of the Land to the Crown is introduced into the Deed; and I beg to inform you that I shall be happy to afford to the Wesleyan Mission the same opportunity of exerting themselves towards the attainment of so laudable an object so soon as its success shall have been established in the two former instances.

I have, &c.

(signed) *BATHURST.*

No. 7.

DESPATCH from Lieutenant-General *Darling* to Earl *Bathurst*, K. G.,
&c. &c. &c.

MY LORD,

Government House, 22d December 1826.

I HAVE the honour to transmit to your Lordship the Copy of a Letter which I have received from the Archdeacon, respecting the measures he is desirous of taking for the civilization of the Aborigines. I have thought it right to put your Lordship in possession of his views, though I apprehend the Corporation is not yet in a condition to enter on an undertaking of this nature. The Church Missionary Society has made some progress in this important matter, through the means of a very respectable and zealous person, the Rev. Mr. Threlkeld, who is acquiring the native language, and with the most laudable exertions has commenced a Vocabulary, with a view to forming a Grammar. Many of the Natives who frequent Sydney and other settled parts of the country speak English remarkably well. Still, notwithstanding their association with the English, it seems impossible for them to abandon their vagrant habits, or to enter into any pursuit with an appearance of industry; in short, their habits are those of mankind in a savage state; and it is impossible to say, however anxious we may be, that their advancement to civilization is obvious or satisfactory. The appearance of the Natives about Sydney is extremely disgusting; those who reside at a distance are a much finer race, which may in some degree be accounted for by their not having such frequent access to the use of spirits, in which the former indulge to a most injurious and disgusting excess.

I have the honour to be, &c.

(signed) *Ra. Darling,*

LETTER from Archdeacon *Scott* to Governor *Darling*, &c. &c. &c.

SIR,

Parramatta, December 9th, 1826.

I HAVE the honour to acquaint your Excellency, for the information of His Majesty's Government, that in obedience to the King's commands, signified under the Royal instructions bearing date the 17th July 1825, an Extract from which your Excellency was pleased to transmit to me for my guidance, requiring that I should take measures for the civilization of the Black Natives of this Colony and their conversion to Christianity, I have selected a person well qualified for that task, and I have sent him into a part of the country where he can most probably obtain information relative to the state of these people, both from persons who have been long resident there, and from the Tribes themselves.

I have at the same time written a Letter to several of those Gentlemen who have not only taken a great interest in the subject, but have tried the experiment in various ways, requesting their opinions, and as soon as I am enabled to form a Report from these documents, I shall lose no time in laying it before your Excellency.

I however consider it necessary to state, in this early stage, that a very considerable expense must be incurred to do any thing effectually, inasmuch as many Establishments must be formed in various parts of the Colony, according to the number of the Tribes; and His Majesty's Government should be apprised of this, as well as the fact that at a large expense I have been hitherto quite unable to afford sufficient spiritual or scholastic attention to those born of European parents and others, even by requiring from the Clergy duties more severe than any Clergyman goes through in England, insomuch that the services of two have been suspended through indisposition in consequence of the late intense heats; and perhaps it would be desirable for your Excellency to take the pleasure of His Majesty's Government how far they are disposed to authorize so large an expenditure, which must necessarily reduce the funds set apart for the instruction of the Colonists.

I have considered it to be my duty to bring this matter thus early under your Excellency's notice, that His Majesty's Government may be acquainted with it, since a Report from the Wesleyans in this Colony has been transmitted to their Society in England, stating that a Tribe of upwards of 3,000 Blacks, speaking one language, and desirous of being civilized and converted to Christianity, exists near Wellington Valley.

This statement my inquiries enable me positively to contradict, there not being even a shadow of truth in; neither is the person from whom the Committee here derived their information at all qualified for such an undertaking.

I have the honour to remain,

Your Excellency's most obedient Servant,

(signed) *T. H. Scott.*

No. 8.

DESPATCH from Earl *Bathurst* to Lieutenant-General *Darling*,
&c. &c. &c.

SIR,

Downing-street, 6 July 1827.

I HAVE received your Despatch of the 22d December last, transmitting the Copy of a Letter which you had received from the Archdeacon in answer to a communication which you appear to have made to him relative to the proceedings necessary to be adopted for the effectual civilization and conversion to Christianity of the Native Black Population of the Colony under your government.

There can be no question as to the importance of a measure which would contribute to the happiness and comfort of so large a body of people by withdrawing them from the wandering life which in their present uncivilized state they must necessarily lead; but whilst due attention is paid to this desirable object, others of comparatively greater importance must not be neglected; and as a difficulty is already felt from the want of adequate funds in providing the necessary religious instruction for the benefit of the Colonists generally, I need not point out to you the expediency for the present of any extensive exertions, leading to expense which it might otherwise be expedient to use in favour of the Aborigines of New South Wales. The Archdeacon's proceedings should therefore be confined to the obtaining correct information as to the numbers and condition of those people, in order that the Government may be prepared with the means of adopting more effectual measures, in furtherance of the object in contemplation, whenever circumstances shall admit of the formation of the Establishment which the Archdeacon is of opinion will be necessary for that purpose.

I have, &c.

(signed) *GODERICH.*

No. 9.

DESPATCH from Lieut.-General *Darling* to the Right Hon. *William Huskisson*,
&c. &c. &c.

SIR,

Government House, 27th March 1828.

1st. I HAVE been honoured with the receipt of Lord Viscount Goderich's Despatch, dated the 6th of July last, in reply to a Report which I had transmitted from the Venerable the Archdeacon on the subject of the civilization of the Aborigines.

2d. As I quite concur in the inexpediency of prosecuting this object until it can be undertaken on an extensive scale, which in my opinion would afford the only chance of success, I have prepared a Letter for the Archdeacon, who has been for some time past at Van Diemen's Land, pointing out the expediency as suggested by Lord Viscount Goderich, of his exertions in this respect being confined to obtaining such information as may prove useful whenever His Majesty's Government may be prepared to prosecute this important object with a better prospect of success than circumstances at present admit of.

3d. I have hesitated, Sir, whether in this view of the matter I should trouble you with a second Report on the same subject which I received from the Archdeacon some time since, and I have now only thought it proper to do so, that you may be in possession of the information which has been obtained, and not with any view of recommending a deviation from the course suggested by Lord Viscount Goderich.

4th. Without entering minutely into the question, with the importance of which I am however fully impressed, I may observe, that to afford a chance of the measure being effectual, it must be expensive, and the expense would be considerable. It would not be sufficient that the arrangements were on a large scale. The individuals employed, in addition to a variety of other qualifications, should possess the most persevering and unabating zeal. Much stress, I observe, is generally laid on the circumstance of acquiring a knowledge of the language of the Natives; but I understand the language is by no means general, and that the Tribes (which commonly consist of only a few persons) inhabiting different parts of the country are unable to converse with each other when they meet: besides, it does not appear that any advantage had been gained by the Natives acquiring our language, which many of them speak with singular fluency and correctness. Some of these, to whom I have spoken, were brought up at the School established by the late Governor Macquarrie, and learned not only to read, but to write. They returned however to their Tribes as soon as their education was finished, and have remained with them in the woods, though accustomed for some considerable time to the comforts of a house, good food and clothing.

5th. I have stated these facts, Sir, not with any view of arguing upon them myself, as I have had but little time to reflect on the subject; but they may, Sir, not be totally useless when convenient to take it into consideration.

I have the honour to be, &c.

(signed) *Ra. Darling.*

REPORT from Archdeacon *Scott* to his Excellency Governor *Darling*, &c. &c. &c.

SIR,

Sydney, 1st August 1827.

1.—HIS Majesty having been graciously pleased to command that I should take steps for the civilization and education of the Native Inhabitants of this Colony, and report to your Excellency my proceedings for the information of His Majesty's Government; I have now the honour to lay before your Excellency an Abstract of those proceedings, together with some observations on the subject.

2.—Some time elapsed before a person could be found calculated to enter upon the subject, and capable of making with accuracy the necessary inquiries in the interior, and amongst the Natives themselves. Towards the close of last year, a Gentleman named Sadlier arrived here, strongly recommended to me, as being every way qualified for such an undertaking; and after several interviews and conversations with this Gentleman, I took the liberty of recommending him to your Excellency to be employed on this service; and by a Letter from your Excellency to the Trustees of the Church and School Lands, he was fitted out and provided with such necessaries as were deemed requisite. At the same time I delivered

to him instructions as to the objects he should keep in view, a Copy of which I have the honour to annex; and in the beginning of December Mr. Sadlier entered on his expedition.

3.—In the mean time I proposed to the Trustees, that a separate School should be formed in some part not too distant, but at the same time quite apart from any Town, at which such children as could be got should be placed. This was fixed at a place called Black Town, about 14 miles north-west of Parramatta; and a person named Hall, with his wife, both well qualified for the undertaking, were placed there to conduct the Establishment. I caused such black children as were in the Male and Female Orphan Institutions to be removed there, and directed Mr. Hall to continue the common elements of education in which they had been previously instructed, but at the same time to devote a larger portion of their time to work; the boys to be taught carpentering (he having been bred up to that trade), and the girls plain needle-work by his wife. Mr. Hall having a very religious turn of mind, I directed him to give these children religious instruction, and at the same time to read the Church Service and short plain Discourses, on the Sunday, to the parties of convicts employed on the roads in that neighbourhood, and thus uniting with his other occupation a very important matter in this Colony.

4.—The time has been too short to pronounce decisively on this experiment; but as the trade of a carpenter is clearly useful, and capable of being carried on in a shed under the eye of the master, I preferred it to any other, as the best calculated to civilise them, and destroy their erratic habits, which are so strongly implanted in them, that until these are got under little hope of success can be expected. One of these boys, aged 17, who had been bred up at the Male Orphan School, was apprenticed to a most respectable person in Sydney, Mr. Thorp, assistant engineer to the Government, to learn the trade of a builder. After remaining about ten days, I regret to say, the boy ran away into the woods, and although the police have been searching for him, no intelligence has as yet been received of him.

5.—Whilst Mr. Sadlier was occupied in the interior, I wrote a Circular Letter, explaining His Majesty's gracious intentions, to the principal persons in the Colony, who, by their long residence, their intercourse with the Natives, and the attempts they had made in this object, might afford me much information and assistance in laying before His Majesty's Government the probability of success in this undertaking. Mr. Sadlier being now returned, without troubling your Excellency with a detail of his Reports, or of the Answers with which I have been favoured, I shall enter on an analysis of the subject.

6.—From the various Answers I have received, there is no difference of opinion, first, as to the difficulty of the undertaking; second, as to a complete failure in a great variety of experiments, made with great attention, perseverance and expense; third, the almost utter impracticability of keeping them from any contact with the convicts, who are stock-keepers at the distant stations, and whose vicious propensities and examples they see and imitate; fourth, the very great expense attendant on any experiment on a large scale, the only chance of any success; fifth, the very slow progress of such an undertaking, and when the increasing European population is considered, as well as their flocks and herds, the probability that in the mean time the few Tribes scattered over such a large space of land will be exterminated; sixth, and lastly, the very doubtful probability, after such an expense has been incurred, that any beneficial results will take place, or at least of so trivial a nature as to counterbalance the very great expense.

7.—From Mr. Sadlier's Report, after an absence of five months, during which time he made a circuit of about 750 miles, I have collected the following results. 1. There is, on the whole, a good understanding between the Stock-keepers and Blacks, with some exceptions. 2. That in general the Blacks are the aggressors; nevertheless a failure in a promise made to them is never forgotten or forgiven; nor can they brook abusive language, or ill treatment to themselves, and especially to their dogs. 3. That illicit intercourse exists between the Stock-keepers and the women; that the intercourse with the convicts leads to drunkenness, debauchery, profane and obscene language and disease. It is, however, to be remarked that a local disease, of a very horrible nature, exists amongst the Natives, arising from their extreme filth; and this in general is communicated to the White Population more frequently than the reverse. 4. The Blacks become well acquainted with the strength and force of Stock-keepers, and then take advantage of the weakness of the latter, and endeavour to take provisions by force; and if resistance is made, the consequence is sometimes fatal to the Stock-keeper; five instances are given. 5. That it would be advisable for Stock-keepers to have their wives sent from England to them. 6. The intercourse with each other's Tribe was not so common before the White Men were amongst them as it is now. 7. They are suspicious and revengeful to a great degree, and never forget an injury, nor even an imagined injury, done to them. 8. The chief causes of their disputes are from the abduction of their women by one another, generally in the night. 9. That they live to a good old age; in one instance, from a calculation made, the man must be at least seventy-five. 10. Their habits are indolent in the extreme, and nothing but starvation will urge them on to seek for food; some instances of labouring for subsistence in a small degree have occurred: their energies are awakened by the chase, by war, or by plunder. 11. They depend chiefly on the quickness of their eye in search of food, since they can distinguish whether the scratches on the bark of a tree by an animal are recent or not, and accordingly they climb in search of it trees eighty and ninety feet high with extraordinary celerity. 12. In the winter they are so pressed for food as to eat their own blood, congealed and mixed with snow; and there is strong reason to believe they will devour their own children.

children. 13. They have but few resources to medicinal herbs in sickness, when they suffer greatly, and often die under it. 14. Their wants are tomahawks, fish-hooks, clothing, and relief in sickness and old age; and by their frequent intercourse with the White People, shirts, tobacco, pipes, &c. become necessities of life to them. 15. There is no chance of distant Tribes consenting to send their children to the Establishment at Black Town. 16. They express a desire to have their children educated, and expect it with some eagerness. 17. From the best calculation and enumeration made during this journey, it does not appear that there are more than 4,500 souls, divided into 31 Tribes, averaging about 147 to a Tribe; the largest number being 242, and the smallest 10; the average number of children being three to a family; and that each Tribe occupies a space from twenty to thirty miles square. 18. It would be most desirable to attain the language, and to reduce it to such a system as, by instructing them in it, a mutual intercourse might be kept up between them and the White Population. 19. That as our interests advance, their misery and extinction are most positive; and that unless some immediate steps be taken to relieve them, that extinction will take place in the course of the next thirty years.

8.—From the observations made by Mr. Sadlier upon the habits of these people, he proposes, 1. That as their wants would have been created by our intercourse with them, they should be periodically supplied with provisions and clothing, distributed in the way of remuneration for labour, for services, or good conduct, thus making them sensible of the intentions of Government towards them. 2. An acquaintance with our laws, he considers, would have the effect of introducing some kind of discipline, and urging the friendly Blacks to interpose with those more distant and wild. 3. That a very active, and, for this purpose, a truly constabulary force and mounted police be established; also a resident magistrate, to whom both parties could appeal, and who, by his local knowledge and personal intercourse would be enabled easily to judge between the contending parties; also that a Catechist or Missionary be sent amongst them, whose qualifications must be very peculiar. He must possess a facility of acquiring languages, a body and mind equal to hardships, for he should at different times travel among the different Tribes; a steady zeal and entire devotedness to the great cause he is engaged in; an ardent love for the good of his fellow creatures; kindness, yet firmness of resolution, a readiness to yield to their little prejudices; and possess such a fund of morality and vivacity of temper and disposition as would ever keep them alive, and make their work more like amusement than labour; and he should be a married man. 4. That all the Overseers of Stock should be free, and they should have their wives and families sent out to them by Government. 5. That three Establishments should be selected, as remote as possible from the White Population; one on the Murrumbidgee River, to the south; another about 80 miles below Wellington Valley, to the west; and another on or near Peel's River, to the north; and that a minor Establishment be fixed between each, so as to form a link in the chain of communication; one on the Shoal Haven River, to the south; another on Marwarry Plains, in the west; and one near the Mudgee Tribe, between Bathurst and the Goulburn River, to the north. 6. That as these Establishments are formed, others will spring from them. 7. At these stations it is proposed to unite farming occupations with instruction; that hard labour should not be forced on them, but that they should be taught the nature of that labour by feeling the benefits of enjoying and living on the produce. There is a variety of details as to their management and treatment, not necessary to enter upon in this Report, as they must differ as circumstances arise, and much must be left to the discretion of the Missionary. 8. The very lowest rate of expenditure which can be calculated on for each of the principal stations is 500*l.* per annum; and for four of the minor Establishments, 400*l.* each, forming an annual expenditure in the whole of nearly 2,000*l.* per annum: this is on a scale calculated for one Missionary, three Men, and six families of Blacks—in all consisting of thirty-four souls.

9.—On this Report of Mr. Sadlier I take the liberty of submitting to your Excellency the following Remarks:—1st. That from inquiries amongst long established and experienced persons, the result of which I have stated in the 8th paragraph of this Letter, scarcely any hopes remain of success. 2d. That to find persons so qualified to fill the various departments Mr. Sadlier proposes, such as Magistrates, Constables, Schoolmasters, Missionaries and attendants, in this Colony, is impossible, and I doubt very much whether they could be selected even in England to be relied on when they have arrived here, and when they have been planted on the several stations. My own experience here proves the contrary; and when the nature of the Free and Convict Population is considered, the chances are still greater against it. 3d. The rapid increase of flocks and herds, and the very large extent of ground which they require to depasture on, will extend to such a distance as to render the proposed Establishments in a very few years in the heart of the White Population, instead of being at a considerable distance. As a proof of this I need only state to your Excellency, that six years ago the stock of only a few individuals extended to a distance of 150 miles west of Sydney, but that now in every quarter at the same distance from Sydney, to the north, to the west, and to the south, there are hundreds of stations, and thousands upon thousands of stock. If, therefore, a proportionate increase shall take place of stock, and I see no reason that it will not, whilst the very slow operations of forming the Seven Stations proposed for the Blacks, and the still slower progress of civilizing them, be considered, I think it is a fair conclusion which I have just now drawn, as to these Establishments being overwhelmed, and the very object of avoiding contact will be defeated. 4th. That in this calculation of Seven Establishments, which are to cost 2,000*l.* per annum, provision only for two or three hundred persons is calculated on; whereas there are thirty-one Tribes, consisting of about 4,500 souls, who will expect immediate

relief; and the extreme jealousy and suspicion which are well known to arise if one or a few be preferred to the rest. These people expect all to be satisfied at the same time, or retire in disgust, being impatient of restraint and of expectancy.—5th. If one Establishment be formed, and should the Missionary be enabled to bring several Tribes together, and he be not furnished with a sufficient quantity of food to supply them whenever they demand it, they will separate. For the same reason, it will be impossible in one year or two to cultivate land in sufficient quantity to provide food for that number, even if it could be raised at a cheaper rate than procured by purchase. To support a small Establishment of thirty-four persons, fifteen acres of wheat will be required, and not less than one year could be calculated on to provide and get ready that quantity. During this time flour must be purchased, and carried 150 or 200 miles by land; and then will be found all the heart-burnings, jealousies, suspicion and revenge amongst the hundreds who are not fed, at seeing only a few partake of the provision. I am fully convinced that unless the measure be entered on at once, and on a large and simultaneous scale, it would not be wise to undertake it at all. How far your Excellency may think His Majesty's Government may, in these times, when our own children are not yet provided with the means of education, be disposed to authorize such an expense, it is not for me to anticipate; I can only say, that if I have your Excellency's sanction for the undertaking, no pains nor exertion on my part shall be wanting to fulfil His Majesty's benevolent intentions.

10.—In forming this Establishment, I ought to state to your Excellency, that the Auxiliary Committee of the Church Missionary Society established here have entered on the subject, and offered to co-operate in this undertaking; and by an Answer from the Rev. Richard Hill, I learn they are disposed to contribute to the amount of one half per annum towards the object. Two persons belonging to that Society have engaged in it, and have proceeded to the interior as a commencement.

11.—It appears to me, and I venture to submit this opinion to your Excellency's consideration, that, in the present instance, we should employ these two persons, together with Mr. Sadlier, in attending to the formation of a Day-school for the children of both Natives and Europeans, at the places where they are to reside, and that Mr. Sadlier should go amongst the Natives further on, to engage their confidence, and act as an arbiter between them and the Settlers in different parts of the Country. I should also submit, that where services have been performed, blankets and a ration be given them on a moderate scale, and that these Schools be kept open ready for any children whose parents can be prevailed on to part with them; that if a mounted police be formed, (with which I do not pretend to interfere, being a matter for your Excellency's peculiar province,) it be effected on the *defensive* system only, leaving to Settlers the means of rewarding with provisions, according to their own judgment, as has hitherto been the practice.

12.—I cannot conclude this Letter to your Excellency without adverting to a statement recently put forth by the Wesleyan Society in England, from the information transmitted by the Auxiliary Mission here. They have stated, on the authority of a Mr. Harper, one of their Missionaries here, who came out as a free servant to a gentleman, that near Wellington Valley appeared a Tribe of 3,000 souls, all speaking one language, and being desirous of conversion to Christianity. The following is the result of Mr. Sadlier's inquiries on this subject, to which I directed his attention:

1st. That no one Tribe exceeds 260, and that in a space of two degrees of latitude and three of longitude from Wellington Valley, far beyond Mr. Harper's limits, there are not at the most 2,000 souls: 2d. That amongst four Tribes, nearly the same language is to be found, with several exceptions: 3d. That they wish a person to live amongst them, who would satisfy their temporal wants, by the distribution of food, presents, &c. beyond which they do not expect any thing: 4th. That a School for ten or twelve Scholars was established, but not one of them could read, or even do more than write a few letters or figures on sand, and one could say the Lord's Prayer by rote: 5th. That the parents were perpetually enticing their children to run away from the School, which also operated against their learning any thing: and finally, Mr. Sadlier remarks, in stating to the public the progress and proficiency of his (Mr. Harper's) Scholars, "I could discover nothing to bear out the impression made by his Reports on the public mind, and fear that at the expense of Christian sincerity he has attempted to recommend himself to his employers." The whole of this has been confirmed to me by one of the Society, who, from the very first, placed no reliance on Mr. Harper's statement.

13.—To conclude this subject with my own opinion, founded on not an inattentive or hasty examination, as well as personal observation in my several visitations, I am thoroughly satisfied, that unless the Government are prepared to go the length of feeding and clothing the whole of these (4,500,) at an immense expense, and that constantly, not the least progress will be made either as to civilization or conversion.

The only one who has cattle given by the late Governor Macquarrie, which have increased under a person paid for it, but totally neglected by himself, is called "Creek Jimmy," who often asks me to sell them for money, in order (to use his own words) "*he may buy a long coat and cocked hat, and be a swell*," (a Colonial phrase for a well-dressed convict); and although a ration has been allowed him and his son, expressly on the condition of the latter leaving his child at the School at Black Town, yet he has taken her away, and will not suffer her to return on any consideration whatever.

I have the honour to remain, &c. &c.

(signed) T. H. Scott.

LETTER from Archdeacon Scott to Mr. Richard Sadler, &c. &c. &c.

SIR,

Parramatta, 29th July 1826.

1st.—IN consequence of the testimonials to your character and ability, I have submitted your name to the Governor as a person qualified to undertake the civilization of the Black Natives of this Colony, with a view to further the benevolent intention of His Majesty, as commanded by the Instructions; and his Excellency has been pleased to approve of your appointment, at a salary of ten shillings per day, and such other expenses as I may deem necessary.

2d.—As soon as you can prepare the necessary matters for your equipment, you will proceed on your expedition, and in the first instance towards that part of the country called Argyle. Here you will present your several letters of introduction; and, I doubt not, the Gentlemen to whom they are addressed will give you every assistance in their power.

3d.—The objects you should keep in view are, to make yourself acquainted with the habits and wants of these Black People, and endeavour to impress them with the wish there is of the Government to make their situation more happy, by being acquainted with the customs of the civilized world; that there is a great wish to bring them and their children up to the views we entertain of religion, and all its consequences and happy results; and that by these acquirements they will know the necessity of becoming obedient to our laws, which will insure to them protection from oppression.

4th.—Should you be enabled, either by acquiring their own language or through an interpreter, it should be made known to them that no force will be employed, and that nothing will be done contrary to their will.

5th.—It would be very desirable to ascertain their numbers, male and female, as well as children, and, if possible, their ages; what would be most desirable to them as presents; whether proper persons among them can be selected as chiefs or leaders, who can be relied on to influence the Tribes with favourable impressions on our views of civilization; to induce them to send their children at an early age to the School at Black Town, where they will be taught such trades as will enable them to live by the produce of their own labour.

6th.—It would be very desirable for you to possess yourself with the reasons they may have, if that be possible, for their ceremonies and usages, motives for war, as well as declining to become civilized, or parting with their children; and whether they are permanently susceptible of being aware of the advantages held out to them under this head. Inquiries as to the capacities, the usual subjects of disputes with each other, and especially with our own people, and whether there has been, or still is, any intercourse with them, to what extent, its nature and effects produced by it, would be most desirable.

7th.—You will be pleased to make communications to me, from time to time, as opportunities may offer, not exceeding an intervening space of one month, if possible; and I will thank you to arrange your subjects in separate paragraphs, each being numbered.

8th.—There may be some points I have not adverted to; but as you are well aware that the object of His Majesty's Government is to civilize and to convert to Christianity these unhappy beings, every thing which your own good sense can suggest to you on this head, I feel perfectly confident, will not be omitted; and in such confidence I have only to recommend to you caution, accuracy and perseverance, and to assure you of my sincere wishes for your success, through the aid of the Almighty, which they have who do His commands.

I remain, &c.

(signed)

T. H. Scott.

No. 10.

DESPATCH from Lieutenant-General Darling to Sir George Murray, G. C. B., &c. &c. &c.

SIR,

Government House, Sydney, 9th August 1830.

I do myself the honour to acquaint you, that I have received a Letter addressed to me by Mr. Hankey, Treasurer of the London Missionary Society, respecting the discontinuance of Mr. Threlkeld, who had been employed for some time by that Society with a view to his acquiring the language and civilizing the Natives of the Colony.

I was induced, previously to bringing the matter before the Council, to consult Archdeacon Broughton, and to refer Mr. Hankey's Letter, with one which I had received from Mr. Threlkeld, for his opinion, and I have now the honour to transmit for your information the accompanying Copy of a Letter which the Archdeacon addressed to me on the subject, together with a Minute of the Proceedings of the Executive Council, to whom it appeared proper to refer the matter. It will be seen by the Minute of Council, that it has been deemed advisable, under the circumstances pointed out, to continue Mr. Threlkeld, subject to your approbation, for a period of five years, at a salary of 150*l.* per annum, with an allowance for clothing, and rations for four convicts, which will amount to about 50*l.* more.

When the condition of the Aborigines is considered, and the progress which Mr. Threlkeld has made in acquiring their language, I trust, Sir, you will agree with the Council, that it would hardly be consistent with feelings of even common humanity, or with what we owe to these people in particular, to abandon them altogether, in order to save an expense so inconsiderable with reference to the object. I must at the same time confess, though concurring with the Council that it is incumbent on the Government to exert itself in their favour, that I am not sanguine as to the success of the measure now recommended.

I have the honour to be, &c.

(signed) *Ra. Darling.*

EXTRACT from PROCEEDINGS of the EXECUTIVE COUNCIL of the 12th June 1830.

Present :

His Excellency the Governor.
The Venerable the Archdeacon.

The Hon. the Colonial Secretary.
The Hon. Colonel Lindesay.

HIS Excellency the Governor laid before the Council a Letter from the Venerable the Archdeacon, on the subject of the Establishment undertaken and until recently maintained by the London Missionary Society at Lake Macquarrie, with a view to form an acquaintance with the native languages of this country, and to attempt the civilization of its Aboriginal Inhabitants.

It appears that Mr. E. L. Threlkeld has been employed by the Society in prosecuting the objects in question, and that he has made considerable progress in the translation of the New Testament.

The Council, after a full consideration of the subject, were impressed with a persuasion that the "Nation is under an obligation to make an effort for the moral and religious improvement of the people whose country we have occupied;" and the attempt hitherto prosecuted by the London Missionary Society being now abandoned on their part, advised, with reference to the suggestions of the Archdeacon, that the Land formerly set apart by Sir Thomas Brisbane for the accomplishment of this object, and now surrendered, should continue to be appropriated to its original purpose, and that Mr. Threlkeld should be continued to be employed, and at a salary of *One hundred and fifty Pounds* (150 l.) per annum, with the rations which he now draws for four convict servants, subject to the approval of the Right honourable the Secretary of State for the Colonies.

The buildings on the Land above alluded to being continued to be used for the purposes they were erected by the Society, it is not necessary, it is conceived, to make them any compensation on that account.

(A true Extract.)

E. Deas Thomson, Cth Co^l.

ENCLOSURE to PROCEEDINGS of the EXECUTIVE COUNCIL,

SIR,

Sydney, 3d June 1830.

I HAVE the honour to inform your Excellency, that I have this day returned to the Colonial Secretary two original Letters, which by your Excellency's direction were transmitted to me on the 13th January last, the one being addressed to your Excellency by W. Alexander Hankey, Esq., Treasurer of the London Missionary Society, the other by Mr. L. E. Threlkeld, and both having relation to the Establishment undertaken and till recently maintained by that Society at Lake Macquarrie, with a view to form an acquaintance with the native languages of this country, and to attempt the civilization of its Aboriginal Inhabitants. In conformity with the expressed desire of your Excellency, I have availed myself of the earliest opportunity afforded after my return from the visitation in Van Diemen's Land, to investigate the questions embraced in the Letters of Mr. Hankey and Mr. Threlkeld.

The object proposed by the London Missionary Society, and for the promotion of which Sir Thomas Brisbane bestowed the grant of Land at Lake Macquarrie, is, in my estimation, of the first interest and importance. I am impressed with a persuasion, that our Church and Nation are under an obligation to make an effort for the moral and religious improvement of the people whose country we have occupied; and as the most probable and promising means of accomplishing this end, reason appears to point out the acquirement of a knowledge of their language. The attempt hitherto prosecuted by the London Missionary Society being now abandoned on their part, I should be much concerned if it could not be resumed under the patronage and sanction of your Excellency. I therefore trust that the Land formerly set apart by Sir Thomas Brisbane, and now surrendered, may still continue to be appropriated

priated to its original purpose. In what manner this may be best effected, or what compensation should be made to the Society above mentioned on account of the buildings erected by them on the grant, I have not at present sufficient local knowledge to advise; but I hope to be able to visit the Lake Macquarrie in the course of the present year, and I shall afterwards be prepared to lay before your Excellency such suggestions as may introduce, in connection with the subject now before me, the general question of civilizing the Aborigines of New South Wales. In the mean time, I have the honour to request, that directions may be issued for securing the Land from encroachment, and the buildings from dilapidation.

With reference to Mr. Threlkeld personally, I beg to state to your Excellency my persuasion, that he employs himself diligently in studying the native language, and in reducing it to a written form. In this latter object he has succeeded to a considerable extent, and I have no doubt of his being more competently acquainted with these dialects than any other person in the Colony. I have also reason to be satisfied of the accuracy of his statement, that he has proceeded in his translation of the New Testament as far as the 14th Chapter of St. Luke's Gospel.

As, therefore, the work he is employed on is highly important in itself, and such as no other person appears equally well qualified to execute, I should propose to your Excellency that a salary adequate to his support should be granted to Mr. Threlkeld, for such a period as may be deemed sufficient for the completion of the Gospel which he is now engaged in translating. As he is in possession of land, I conceive that if the sum of 150*l.* per annum were allowed to Mr. Threlkeld, together with the rations which he now draws for four convict servants, and if the same were continued for five years from the 1st of January last, he would be enabled to bestow his undivided attention on the work, and to complete it within the limited period.

I have also to recommend that it be made a condition of any allowance so granted to Mr. Threlkeld, that he should transmit to me yearly, for the information of your Excellency, a detailed statement of the progress he has made during the previous twelve months.

I have the honour to be, &c.

His Excellency Lieutenant-General Darling. (signed) *W. G. Broughton.*

(A true Copy.)

E. Deas Thomson, C^lk C^ol.

No. 11.

DESPATCH from Lord Viscount *Goderich* to Lieutenant-General *Darling*,
&c. &c. &c.

SIR,

Downing-street, 8th January 1831.

I HAVE received your Despatch of the 9th of August last, on the subject of the Establishment undertaken and, until recently, maintained by the London Missionary Society at Lake Macquarrie, with a view to form an acquaintance with the native languages of the country, and to attempt the civilization of its Aboriginal Inhabitants.

I agree with you in opinion that the civilization of the Natives of New South Wales is of so much importance, that no steps which have been undertaken with that object in view should be abandoned until every possible effort has been made towards the accomplishment of it; and I acquiesce, therefore, in your continuing, with the approbation of the Council, to make an annual payment to Mr. Threlkeld, at the rate of 150*l.* per annum, with the other advantages proposed in your Despatch, to induce him to persevere in his labours. I deem it advisable, however, that no agreement should be made with him, in respect to the payment of his allowance, which may not be terminated at the pleasure of the Colonial Government; and I further approve of the recommendation of the Archdeacon, that Mr. Threlkeld should be required, at the commencement of each year, to satisfy him of the progress he has made, during the previous twelve months, in the translation of the Gospel into the Native Language; care being at the same time taken that he does not pursue the same course, of which the Society have complained, of involving the Public in any expense not previously sanctioned by the local authorities.

I am, &c.

(signed) *GODERICH.*

NEW SOUTH WALES.

COPIES

OF

INSTRUCTIONS given by His Majesty's
SECRETARY of STATE for the COLONIES,
for promoting the MORAL and RELIGIOUS
INSTRUCTION of the ABORIGINAL INHABITANTS
of *New Holland* or *Van Diemen's Land*.

Ordered, by The House of Commons, to be Printed,
23 September 1831.

COLONIES:
POPULATION, TRADE, &c.

RETURN to an Address to HIS MAJESTY, dated 10 August 1831;—for,

RETURN from each COLONY or FOREIGN POSSESSION of the BRITISH CROWN; stating the Date at which each COLONY or POSSESSION was Captured, Ceded or Settled; the Number of the POPULATION, distinguishing White from Coloured, and Free from Slaves, at the latest Period, and as far as the same can be complied with; and whether having LEGISLATIVE ASSEMBLIES, or governed by Orders of The King in Council; stating also, the Value of EXPORTS and IMPORTS into each of those Colonies, for each of the past Three Years, for which the same can be made out.

Colonial Department, Downing street, }
September 1831.

R. W. HAY.

Ordered, by The House of Commons, to be Printed,
23 September 1831.

RETURN from each COLONY or FOREIGN POSSESSION of the BRITISH CROWN; stating the POPULATION, distinguishing White, from Coloured, and Free from Slaves, at the latest Period, governed by Orders of The King in Council; stating also, the Value of EXPORTS and IMPORTS

COLONIES.	DATE of CAPTURE, CESSION or SETTLEMENT.	Whether having LEGISLATIVE ASSEMBLIES, or GOVERNED BY ORDERS IN COUNCIL.
NORTH AMERICA:		
Lower Canada - -	Capitulation, 18 Sept. 1759 -	Governor, Council and Assembly - -
Upper Canada - -	and - 8 Sept. 1763 - and Cession by Treaty, 1763 -	ditto - ditto - ditto - -
New Brunswick - -	- - - - -	- ditto - ditto - ditto - -
Nova Scotia - -	- - Fisheries and Settlements,	- ditto - ditto - ditto - -
Cape Breton - -	established soon after their dis-	- ditto - ditto - ditto - -
Prince Edward's Island	covery in 1497 - - -	- ditto - ditto - ditto - -
Newfoundland - -	- - - - -	Governor, Council and British Acts of Parliament - - -
		TOTALS - - -
WEST INDIES:		
Antigua - - -	Settlement, 1632 - -	Governor, Council and Assembly - -
Barbadoes - - -	- ditto - 1605 - -	- ditto - ditto - ditto - -
Dominica - - -	Ceded by France, 1763 - -	- ditto - ditto - ditto - -
Grenada - - -	- ditto - 1763 - -	- ditto - ditto - ditto - -
Jamaica - - -	Capitulation, 1655 - -	- ditto - ditto - ditto - -
Montserrat - - -	Settlement, 1632 - -	- ditto - ditto - ditto - -
Nevis - - -	- ditto - 1628 - -	- ditto - ditto - ditto - -
St. Kitts - - -	- ditto - 1623 - -	- ditto - ditto - ditto - -
St. Lucia - - -	Capitulation, 22 June 1803	Governor and Council, and Orders of the King in Council - -
St. Vincent - - -	Ceded by France, 1763 - -	Governor, Council and Assembly - -
Tobago - - -	- ditto - 1763 - -	- ditto - ditto - ditto - -
Tortola - - -	Settlement, 1666 - -	- ditto - ditto - ditto - -
Anguilla - - -	- ditto - 1666 - -	- ditto - ditto - ditto - -
Trinidad - - -	Capitulation, 18 Feb. 1797	Governor and Council, and Orders of the King in Council - -
Bahamas - - -	Settlement, 1629 - -	Governor, Council and Assembly - -
Bermudas - - -	- ditto - 1609 - -	- ditto - ditto - ditto - -
Demerara & Essequibo	Capitulation, 18 Sept. 1803	Governor and Council, and Orders of the King in Council - -
Berbice - - -	- ditto - 23 Sept. 1803	- ditto - ditto - ditto - -
Honduras - - -	Treaty, 1670 - - -	Superintendent and Magistrates - -
		TOTALS - - -
GIBRALTAR		
Gibraltar - - -	Capitulation, 4 Aug. 1704	Governor and Orders of the King in Council - - -
Malta and - - -	- ditto - 5 Sept. 1800	- ditto - ditto - ditto - -
Gozo - - -	- - - - -	- - - - -
Cape of Good Hope	Capitulation, 10 Jan. 1806	Governor and Orders of the King in Council - - -
Sierra Leone and	Settlement, 1787 - -	Governor and Council - - -
Gambia - - -	- ditto - 1631 - -	- - - - -
Ceylon - - -	Capitulation, 17 Sept. 1795	Governor and Council, and Orders of the King in Council - -
Mauritius - - -	- ditto - 3 Dec. 1810	- ditto - ditto - ditto - -
New South Wales	Settlement, 1787 - -	Governor and Council, and British Acts of Parliament - -
Van Diemen's Land	- ditto - 1803 - -	- ditto - ditto - ditto - -
Swan River - - -	- ditto - 1829 - -	Governor and British Acts of Par- liament - - -
		GENERAL TOTALS - - -

Date at which each COLONY or POSSESSION was Captured, Ceded or Settled; the Number of the and as far as the same can be complied with; and whether having LEGISLATIVE ASSEMBLIES, or into each of those Colonies, for each of the past Three Years, for which the same can be made out.

POPULATION 1829, OR LATEST CENSUS.				TRADE with GREAT BRITAIN.					
				IMPORTS into the United Kingdom, Official Value.	EXPORTS from the United Kingdom, Official Value.	Number and Tonnage of Vessels to and from the United Kingdom and the Colonies.			
						Inwards.		Outwards.	
						Ships.	Tons.	Ships.	Tons.
TOTAL.				1829.	1829.	1829.		1829.	
- - - - -				569,451	1,117,421	778	227,909	760	221,694
- - - - -				213,842	274,922	562	155,249	460	133,469
- - - - -				61,701	297,966	121	30,146	126	31,738
- - - - -				243,628	373,817	148	17,820	306	31,246
911,229									
911,229				1,088,622	2,064,126	1,609	431,124	1,652	418,147
Whites.	Free Coloured.	Slaves.							
1,980	3,895	29,839	35,714	285,500	146,657	46	9,781	43	9,367
14,959	5,146	81,902	102,007	489,214	369,828	65	17,190	82	20,887
840	3,606	15,392	19,838	141,911	27,478	12	3,011	12	2,921
801	3,786	24,145	28,732	359,813	93,015	41	12,349	37	11,031
No census taken.		322,421	322,421	3,741,179	2,761,483	286	85,710	276	82,558
330	814	6,262	7,406	40,958	8,302	5	1,253	4	944
700	2,000	9,259	11,959	78,278	25,223	8	1,892	8	1,996
1,612	3,000	19,310	23,922	192,280	97,234	24	6,224	26	6,804
1,972	3,718	13,661	18,351	157,533	51,505	22	5,290	19	4,209
1,301	2,824	23,589	27,714	414,548	99,891	53	14,379	42	12,084
322	1,164	12,556	14,042	158,385	51,368	26	6,594	29	6,913
477	1,296	5,399	7,172	33,243	5,666	5	1,317	3	606
365	327	2,282	2,986	-	-	-	-	-	-
4,201	15,256	24,006	44,163	694,001	361,077	94	22,224	82	20,474
4,240	2,991	9,262	16,499	17,915	51,524	7	1,360	7	1,338
3,906	738	4,608	9,251	4,901	24,817	3	620	9	2,256
3,006	6,260	69,467	78,233	1,762,409	502,236	190	55,250	183	53,687
552	1,151	21,319	23,022	325,051	51,587	29	7,710	23	6,070
252	2,266	2,127	4,643	190,795	792,278	42	11,184	33	8,847
10,7	-	-	798,769	9,087,914	5,521,169	958	263,338	918	252,992
17,024	nil.	nil.	17,024	34,535	1,117,615	16	1,795	93	10,426
104,489	-	-	119,969	20,784	505,359	11	2,034	46	7,906
15,480	-	-	129,036	238,133	383,427	36	8,069	35	7,705
55,675	37,852	35,509	15,210	258,570	511,779	103	27,912	116	31,909
87	15,123	-	2,216	-	-	-	-	-	-
24	2,192	-	933,267	202,668	46,496	4	1,309	9	3,048
6,414	906,389	20,464	101,469	451,998	280,530	41	12,824	27	6,391
8,844	15,851	76,774	36,598	92,528	250,620				
20,930	-	15,668	17,905	33,191	58,913	30	8,970	81	28,719
9,421	Aborigines not ascertained.	Convicts. 8,484	850	-	37,210				
850	-	Convicts.							
2,229,725		829,665	3,083,542	11,508,943	10,777,244	2,808	757,375	2,977	767,243
White and Free.		Slaves, exclusive of Convicts.	Total Population.	Imports.	Exports.	Ships.	Tons.	Ships.	Tons.

COLONIES:
POPULATION, TRADE, &c.

RETURN of the Date at which each COLONY or PORT was Possession of the British Crown was Captured, Ceded or Settled, the Number of Population, and whether having Legislative Assemblies, or governed by Orders of The King in Council; stating also, the Value of Exports and Imports, and Number and Tonnage of Vessels entered Inwards and cleared Outwards in each Colony, in the Year 1839.

*Ordered, by The House of Commons, to be Printed,
23 September 1831.*

VAN DIEMEN'S LAND.

RETURN to an Address of the Honourable The House of Commons,
dated 19th July 1831;—*for*,

COPIES of all CORRESPONDENCE between
Lieutenant-Governor *Arthur* and His Majesty's
Secretary of State for the Colonies, on the Subject
of the MILITARY OPERATIONS lately carried on
against the ABORIGINAL INHABITANTS of *Van
Diemen's Land*.

Colonial Department, }
Downing-street, }
23 September 1831. }

HOWICK.

Ordered, by The House of Commons, to be Printed,
23 September 1831.

SCHEDULE.

- No. 1.—Copy of a Despatch from Lieutenant-Governor Arthur to Viscount Goderich;
dated Van Diemen's Land, 10th January 1828 - - - - - p. 3
- No. 2.—Copy of a Despatch from Lieutenant-Governor Arthur to Mr. Secretary Hus-
kisson; dated Van Diemen's Land, 17th April 1828; (with One Enclosure) p. 4
- No. 3.—Copy of a Despatch from Secretary Sir George Murray to Lieutenant-Governor
Arthur; dated Downing-street, 20th February 1829 - - - - - p. 8
- No. 4.—Extract of a Despatch from Lieutenant-Governor Arthur to Mr. Secretary Hus-
kisson; dated Van Diemen's Land, 5th July 1828 - - - - - ib.
- No. 5.—Extract of a Despatch from Lieutenant-Governor Arthur to Secretary Sir George
Murray; dated Van Diemen's Land, 4th November 1828; (with Four Enclo-
sures) - - - - - p. 9
- No. 6.—Copy of a Despatch from Secretary Sir George Murray to Lieutenant-Governor
Arthur; dated Downing-street, 25th August 1829 - - - - - p. 14
- No. 7.—Extract of a Despatch from Lieutenant-Governor Arthur to Secretary Sir George
Murray; dated Van Diemen's Land, 15th April 1830; (with Three En-
closures) - - - - - p. 15
- No. 8.—Copy of a Despatch from Secretary Sir George Murray to Lieutenant-Governor
Arthur; dated Downing-street, 5th November 1830 - - - - - p. 55
- No. 9.—Extract of a Despatch from Lieutenant-Governor Arthur to Secretary Sir George
Murray; dated Van Diemen's Land, 20th November 1830; (with various
Enclosures) - - - - - p. 57
- No. 10.—Copy of a Despatch from Lieutenant-Governor Arthur to Secretary Sir George
Murray; dated Van Diemen's Land, 1st January 1831 - - - - - p. 74
- No. 11.—Extract of a Despatch from Viscount Goderich to Lieutenant-Governor Arthur;
dated Downing-street, 17th June 1831 - - - - - p. 75
- No. 12.—Copy of a Despatch from Lieutenant-Governor Arthur to Secretary Sir George
Murray; dated Van Diemen's Land, 12th February 1831 - - - - - ib.
- No. 13.—Copy of a Despatch from Lieutenant-Governor Arthur to Secretary Sir George
Murray; dated Van Diemen's Land, 4th April 1831; (with Three En-
closures) - - - - - p. 78

COPIES of all CORRESPONDENCE between Lieutenant-Governor *Arthur* and His Majesty's Secretary of State for the Colonies, on the Subject of the MILITARY OPERATIONS lately carried on against the ABORIGINAL INHABITANTS of *Van Diemen's Land*.

— No. 1. —

COPY of a DESPATCH from Lieut.-Governor *Arthur* to Viscount *Goderich*.

Van Diemen's Land, Government House,
10th January 1828.

MY LORD,

I HAVE the honour to report to your Lordship, that a more than usual temper of hostility has, within the last six months, manifested itself on the part of the Aborigines of this Colony, and has rendered some active steps for protection necessary, and I fear some still stronger measures will be required.

On my succeeding to the government, I found the quarrel of the Natives with the Europeans, occasioned by an unfortunate step of the officer in command of the garrison on the first forming of the settlement, was daily aggravated, by every kind of injury committed against the defenceless Natives, by the stock-keepers and sealers, with whom it was a constant practice to fire upon them whenever they approached, and to deprive them of their women whenever the opportunity offered. I considered it my duty, therefore, to declare by proclamation, that every individual found to have committed any criminal act of aggression upon the Aborigines, should be prosecuted before the Supreme Court. At the same time I enjoined the magistrates and respectable settlers to use every means to conciliate and protect them. The proclamation, I have reason to believe, was not without effect; and I endeavoured still further to cultivate a friendly intercourse, and at least make the attempt to civilize this abased race, on the occasion of the unexpected appearance of a tribe in Hobart Town, by alluring them, with the promise of food and clothing, to repeat their visit. And I had formed the plan of establishing an institution, to which they might resort, in the hope that some might be persuaded to adopt the habits of civilized life. After stopping a few days, however, in the neighbourhood of Hobart Town, the tribe went back to their haunts, and have not again returned; though, to all appearance, they were highly satisfied with the treatment they received, and made it understood that they looked upon the Governor as their protector.

It is not a matter of surprise that the injuries, real or supposed, inflicted upon the blacks, have been revenged upon the whites, whenever an occasion presented itself; and I regret to say, that the Natives, led on by a Sydney black, and by two Aborigines of this island, men partially civilized, (a circumstance which augers ill for any endeavour to instruct these abject beings), have committed many murders upon the shepherds and herdsmen in remote situations. And they have latterly assumed so formidable an appearance, and perpetrated such repeated outrages within the settled districts, that I have been pressingly called upon by the settlers, in several petitions, to adopt some measure which should effectually free them from these troublesome assailants, and from the nuisance of their dogs, which, originally purloined from the settlers, have increased to such a number as to threaten to become a lasting pest to the country.

But it is much easier to complain than to find a cure for the evil, which none of the petitioners has ventured to suggest; and I have not thought proper to do more than afford the protection of some additional parties of police and military, and to point out, by government notices, how far the settlers would be justified

justified by law in making use of arms to drive off the Natives who should present a hostile front.

The necessity of taking some decisive step, however, becomes every day more apparent, as the settlers advance on the favourite haunts of the Natives, but I confess I feel the subject exceedingly perplexing. The only remedy which I have heard proposed is, to collect the Natives, and remove them to some Island in the Straits, where there is no want of their accustomed food, and where, by teaching them the art of cultivating the soil, (in the meantime supplying them with bread), they might provide their own sustenance; and, from the necessity which such a situation would impose of becoming stationary, a better chance would be afforded of success to any effort for their civilization. Not to mention the extreme difficulty of this scheme, nothing short of the last necessity could tolerate so great an aggravation of their injuries, as they would unquestionably consider removing them from their native tracts. They already complain that the white people have taken possession of their country, encroached upon their hunting grounds, and destroyed their natural food, the kangaroo; and they doubtless would be exasperated to the last degree to be banished altogether from their favourite haunts; and as they would be ill-disposed to receive instruction from their oppressors, any attempt to civilize them, under such circumstances, must consequently fail.

The measure which I rather incline to attempt, is to settle the Aborigines in some remote quarter of the island, which should strictly be reserved for them, and to supply them with food and clothing, and afford them protection from injuries by the stock-keepers, on condition of their confining themselves peaceably to certain limits, beyond which if they pass, they should be made to understand they will cease to be protected. With this view I caused a letter to be addressed to the Commissioners of Lands, directing them to point out some eligible district in which the trial may be made.

The Commissioners have recommended the North East Coast "as being the most advantageous situation for such a purpose," conceiving "that food can be conveyed by water to that part with the least possible difficulty, and that the Natives themselves (if they can be induced to remain quiet) would prefer it to any other part, frequenting it as they continually do for shell-fish, and also on account of its being the best sheltered and warmest part of the island, and remote from the settled districts."

It must be acknowledged that this plan also has its difficulties, which indeed the migratory habits of the Aborigines, and their attachment to their savage mode of life, must attach to any scheme, consistent with humanity, for effectually protecting the settlers from their outrages. But it is but justice to make the attempt, for, notwithstanding the clamour and urgent appeals which are now made to me for the adoption of harsh measures, I cannot divest myself of the consideration that all aggression originated with the white inhabitants, and that therefore much ought to be endured in return before the blacks are treated as an open and accredited enemy by the government.

In prosecuting the plan I have suggested, only a very limited expenditure will be authorized, until I am honored with the result of your Lordship's consideration of this most interesting and important subject.

I have the honour to be, my Lord,

Your Lordship's most obedient humble Servant,

(signed) *George Arthur.*

— No. 2. —

COPY of a DESPATCH from Lieut.-Governor *Arthur* to Mr. Secretary *Huskisson.*

Van Diemen's Land, Government House,
17th April 1828.

Sir,

I HAD the honour to communicate to Lord Goderich, in my Despatch of the 10th January last, the painful necessity of adopting some decided measures to suppress the increasing spirit of resentment manifested by the coloured inhabitants

ants of this colony, and the difficulty which I felt in determining the measures which it would be most advisable to pursue.

It gives me great concern to state that the animosity of these wretched people is in no degree abated, and that their increasing predatory incursions upon the settled districts, which are accompanied with the perpetration of frequent barbarous murders, have overcome my reluctance to proceed to any coercive measures against them.

The subject has undergone several days' anxious deliberation and discussion in the Executive Council; and having examined all such persons as are competent to give information, I am at length convinced of the absolute necessity of separating the Aborigines altogether from the white inhabitants, and of removing the former entirely from the settled districts, until their habits shall become more civilized.

The proclamation which I have issued, with the unanimous advice of the Council, fully explains the origin and progress of the unhappy feeling which exists, and the measures directed for the purpose of averting its further fatal consequences.

It is a subject most painful under every consideration: we are undoubtedly the first aggressors, and the desperate characters amongst the prisoner population, who have from time to time absconded into the woods, have no doubt committed the greatest outrages upon the Natives, and these ignorant beings, incapable of discrimination, are now filled with enmity and revenge against the whole body of white inhabitants. It is perhaps at this time in vain to trace the cause of the evil which exists; my duty is plainly to remove its effects; and there does not appear any practicable method of accomplishing this measure, short of entirely prohibiting the Aborigines from entering the settled districts, a measure, however, which you may be assured shall be carried into execution without the least avoidable harshness.

I have long indulged the expectation that kindness and forbearance would have brought about something like a reconciliation, but the repeated murders which have been committed have so greatly inflamed the passions of the settlers, that petitions and complaints have been presented from every part of the Colony, and the feeling of resentment now runs so high that further forbearance would be totally indefensible.

My intention was to have given up one district to the Natives, but such a spirit of dissention exists amongst the tribes themselves, that it cannot possibly be accomplished.

It is painful and distressing to banish the Natives from their favourite haunts, but, beyond this, there is no occasion that His Majesty's Government should be apprehensive, and I do not even yet resign all hope of pacifying those angry feelings which are at present but too evident on both sides.

His Majesty's instructions command that every measure shall be resorted to for the instruction and civilization of the Natives; may I therefore beg to be honoured with your commands, whether, in promoting this attempt, I am to consider myself authorized to afford some temporary relief in food and clothing, which I fear affords the only prospect of quieting a tribe of savages, and may perhaps be absolutely necessary for their support beyond the settled districts.

I have the honour to be, Sir,

Your most obedient humble servant,

(signed) *George Arthur.*

(Enclosure.)

BY His Excellency Colonel *George Arthur*, Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies.

PROCLAMATION:

WHEREAS at and since the primary settlement of this Colony, various acts of aggression, violence and cruelty have been, from different causes, committed on the aboriginal inhabitants of the Island, by subjects of His Majesty.

And whereas, for the preventing and punishing such sanguinary and wicked practices, it was, by a certain general order made by Colonel David Collins, then Lieutenant-Governor of this Island and its Dependencies, at Government-House

Hobart Town, on the 29th day of January 1810, declared, " that any person whosoever, who should offer violence to a Native, or should in cool blood murder or cause any of them to be murdered, should, on proof being made of the same, be dealt with and proceeded against as if such violence had been offered, or murder committed, on a civilized person ;" And it was also, by a certain proclamation made and issued by me as such Lieutenant-Governor as aforesaid, at Government-House, Hobart Town, on the 29th day of June 1824, after reciting the command of His Majesty's Government, and the injunction of His Excellency the Governor-in-Chief, that the Natives of this Colony and its Dependencies should be considered as under British government and protection, declared, that every violation of the laws, in the persons or property of the Natives, should be visited with the same punishment as if committed on the persons or property of any settler ; and all magistrates and peace-officers, and others His Majesty's subjects in this Colony, were thereby strictly required to observe and enforce the provisions of that proclamation : And whereas, the Aborigines did not only defend themselves and retaliate on the offenders, but did also, subsequently to the order and proclamation aforesaid, and notwithstanding the recital, declarations and requisition mentioned, perpetrate frequent unprovoked outrages on the persons and property of the settlers in this island, and their servants, being British subjects ; and did indulge in the repeated commission of wanton and barbarous murders, and other crimes ; for the repression of which, as also for the prevention of further offences by either of the said parties, instructions, directions and injunctions were promulgated for general information, and for the especial guidance of the civil authorities, and the military forces, by the Government notices of the 29th November 1826, and the 29th November 1827, respectively.

And whereas those several measures have proved ineffectual to their objects ; and the persons employed in the interior of this island as shepherds and stock-keepers, or on the coast as sealers, do still, as is represented, occasionally attack and injure the aboriginal Natives, without any authority ; and the Aborigines have, during a considerable period of time, evinced and are daily evincing a growing spirit of hatred, outrage and enmity, against the subjects of His Majesty resident in this Colony ; and are putting in practice modes of hostility, indicating gradual though slow advances in art, system and method, and utterly inconsistent with the peaceable pursuits of civilized society, the most necessary arts of human subsistence, or the secure enjoyment of human life.

And whereas, on the one hand, the security and safety of all who have intrusted themselves to this country on the faith of British protection, are imperatively required by the plainest principles of justice ; and, on the other hand, humanity and natural equity, equally enforce the duty of protecting and civilizing the aboriginal inhabitants.

And whereas the Aborigines wander over extensive tracts of country, without cultivating or permanently occupying any portion of it, making continual predatory incursions on its settled districts, a state of living alike hostile to the safety of the settlers, and to the amelioration of their own habits, character and condition.

And whereas, for the purposes of protecting all classes and orders of persons in this island and its dependencies ; of bringing to an end, and preventing the criminal and iniquitous practices hereinbefore described, by whomsoever committed ; of preserving, instructing and civilizing the Aborigines, and of leading them to habits of labour, industry and settled life ; it is expedient, by a legislative enactment, of a permanent nature, to regulate and restrict the intercourse between the white and the coloured inhabitants of this Colony ; and to allot and assign certain specified tracts of land to the latter, for their exclusive benefit, and continued occupation.

And whereas, with a view to the attainment of those ends, a negotiation with certain chiefs of aboriginal tribes has been planned ; but some prompt and temporary measure is instantly called for, not merely to arrest the march, but entirely to cut off the causes and occasions of plunder and crime, and to save the further waste of property and blood ; and it is therefore become indispensably necessary to bring about a temporary separation of the coloured from the British population of this territory, and that therefore, the coloured inhabitants should be induced by peaceful means to depart, or should otherwise be expelled by force from all the settled districts therein.

Now

Now therefore, I, the Lieutenant-Governor aforesaid, in pursuance and in exercise of the powers and authorities in me vested in this behalf, do hereby notify, that for the purpose of effecting the separation required, a line of military posts will be forthwith stationed and established along the confines of the settled districts, within which the Aborigines shall and may not, until further order made, penetrate; or in any manner, or for any purpose, save as hereinafter specially permitted. And I do hereby strictly command and order all Aborigines immediately to retire and depart from, and for no reason, or on no pretence, save as hereinafter provided, to re-enter such settled districts, or any portions of land cultivated and occupied by any person whomsoever, under the authority of His Majesty's Government on pain of forcible expulsion therefrom, and such consequences as may be necessarily attendant on it.

And I do hereby direct and require all magistrates, and other persons by them authorized and deputed, to conform themselves to the directions and instructions of this my Proclamation, in effecting the retirement or expulsion of the Aborigines from the settled districts of this territory. And I do further authorize and command all other persons whomsoever, His Majesty's civil subjects in this Colony, to obey the directions of the civil, and to aid and assist the military power, (to whom special orders, adapted to situations and circumstances will be given), in furtherance of the provisions hereof, and to resort to whatever means a severe and inevitable necessity may dictate and require for carrying the same into execution; subject, however, to the following rules, instructions, restrictions and conditions:

1. Lands, the property of the Crown, and unlocated, or adjoining remote and scattered stock-huts, are not to be deemed settled districts, or portions of land cultivated, or occupied within the meaning of this Proclamation.

2. All practicable methods are to be employed for communicating and making known the provisions of this Proclamation to the Aborigines, and they are to be persuaded to retire beyond the prescribed limits, if that be possible.

3. On failure of the expedient last-mentioned, capture of their persons without force is to be attempted, and if effected, the prisoners are to be treated with the utmost humanity and compassion.

4. Whenever force cannot be avoided, it is to be resorted to, and employed with the greatest caution and forbearance.

5. Nothing herein contained shall authorize, or be taken to authorize, any settler or settlers, stock-keeper or stock-keepers, sealer or sealers, to make use of force, (except for necessary self-defence) against any Aboriginal, without the presence and direction of a magistrate, military officer, or other person of respectability, named and deputed to this service by a magistrate, of which class a numerous body will be appointed in each district; and any unauthorized act of aggression or violence committed on the person or property of an Aboriginal shall be punished as hereinbefore declared; and all Aborigines are hereby invited and exhorted to inform and complain to some constituted authority of any such misconduct or ill treatment, in order to its coercion and punishment.

6. Nothing herein contained shall prevent the Aborigines from travelling annually (according to their custom), until their habits shall have been rendered more regular and settled, through the cultivated or occupied parts of the island, to the sea coast, in quest of shell fish, for sustenance, on condition of their respective leaders being provided with a general passport under my hand and seal, arrangements for which form a part of the intended negotiation.

Given under my hand and seal at Government House, Hobart Town, this 15th day of April, in the year of our Lord 1828.

George Arthur. (L. S.)

By His Excellency's command.

J. Burnett.

GOD SAVE THE KING.

— No. 3. —

COPY of a Despatch from Secretary Sir *George Murray* to Lieutenant-Governor *Arthur*.

Sir,

Downing Street, 20th February 1829.

I HAVE had the honour to receive, and to lay before the King, your Despatch of the 17th April last.

His Majesty has learnt with much concern that the conciliatory measures to which you had resorted, with the view of establishing a friendly intercourse with the Aborigines of Van Diemen's Land, should have so completely failed; and that the hostility which continues to be manifested on the part of these people, notwithstanding the endeavours which have been so often used to induce them to adopt more civilized habits, should have rendered other and more decisive measures necessary for the security of the lives and property of the settlers, as well as for the protection of the coloured inhabitants themselves.

As it appears that you have not had recourse to the present alternative of confining the haunts of the Natives to particular limits until you had tried every other possible means of removing the existing evils, His Majesty has commanded me to signify to you his approval of the Proclamation which you have issued for that purpose, and of the instructions which you have given to the civil and military authorities for carrying its provisions into effect. I am aware of the extremely difficult task of inducing ignorant beings of the description of those alluded to, to acknowledge any authority short of absolute force, particularly when possessed with the idea which they appear to entertain in regard to their own rights over the country, in comparison with those of the colonists. I cannot, however, omit to impress upon you my most earnest desire, that no unnecessary harshness may be exercised in order to confine the coloured inhabitants within the boundaries which you have fixed.

To such of the tribes as may appear to you deserving of assistance, in the shape of clothing and subsistence, you will afford these articles; but in thus leaving it to your discretion to apportion that assistance, His Majesty relies confidently on your limiting it as much as possible; taking care that the persons who may receive such benefits may understand that they are alone indebted for them to the peaceable disposition which they have manifested, and to the submission which they have shown to the orders of the Colonial Government.

I am, &c.

(signed) *G. Murray.*

— No. 4. —

EXTRACT of a Despatch from Lieutenant-Governor *Arthur* to Mr. Secretary *Huskisson*; dated Van Diemen's Land, 5th July 1828.

" WITH reference to the Despatch which I addressed to you on the 17th April last, I have the honour to acquaint you, that in furtherance of the Proclamation which accompanied it, military parties have been sent to the frontiers, with orders to prevent the Aborigines from approaching the settled districts; and I am happy to state that the native people, except in two or three instances, when they were immediately driven back, have not since shown themselves in any force, nor committed any violence; this, however, may, in some measure, be accounted for by their custom of resorting to the coast in the winter season.

" There is nothing, I would repeat, to be apprehended from the Natives to excite your alarm, or to check emigration; the measures resorted to will, I am persuaded, be effectual, and my only hope is, that they may prove so without sacrificing the lives of these wretched ignorant beings."

— No 5. —

EXTRACT of a Despatch from Lieutenant-Governor *Arthur* to Secretary *Sir George Murray*; dated Van Diemen's Land, 4th November 1828.

" WITH reference to my Despatches to Mr. Secretary Huskisson of the 17th of April and 5th July last, I regret to report, that the spring had no sooner commenced than the Natives renewed their hostile attacks, in a manner which showed their intention to destroy, without distinction of sex or age, all the white inhabitants who should fall within their power; and as the measures resorted to, under the Proclamation issued on the 15th of April, (copy of which I had the honour to enclose in my Despatch,) proved ineffectual to remove the Native people from the settled districts, and as considerable doubts had arisen how far under it the acts could be justified which were necessary to expel them, I was under the painful necessity of again bringing the subject before the Executive Council, with the view, under its advice, of adopting stronger measures.

" After the most anxious deliberation on two successive days, the Members of the Council concurred in recommending, as the only means of affording to the King's subjects protection against the atrocities of the Aborigines, that they should be declared under martial law, and I have felt myself called upon to issue a Proclamation of Martial Law against them, copy of which I have the honour to enclose.

" Though it has been unavoidably necessary to have recourse to this strong measure, I am in hopes that it will be the means of putting a speedy stop, without much bloodshed, to the lawless warfare which has been lately carrying on between the Natives and the settlers and stockmen, by compelling the former (to whom it may be possible to make known, through such as may be captured, the consequences of remaining in the settled districts) to retire to those parts of the colony which are excepted from the operation of martial law. You will perceive by the Proclamation that the use of arms is still in no case to be resorted to until other measures for driving them off shall have failed; and upon the same principle are my instructions to the police magistrates and military officers drawn up, copy of which I have the honour to enclose; and you may be assured that every means in my power, which are most consistent with humanity, will be used, even at the present extremity, for bringing about a good understanding with these wretched beings.

" I propose immediately visiting all the military out-stations, and I sincerely hope, at an early period, that it may be in my power to report that the aboriginal Natives are reduced to a state of quietness, and that the measure which has been resorted to, of treating them as open enemies, may be annulled. Terror may have the effect which no proffered measures of conciliation have been capable of inducing.

" With regard to the alarm which it is stated in the Minute of Council exists among the settlers, it is doubtless very distressing that so many murders have been committed by the Natives upon their stockmen, but there is no decided combined movement among the Native tribes, nor, although cunning and artful in the extreme, any such systematic warfare exhibited by any of them as need excite the least apprehension in the Government, for the blacks, however large their number, have never yet ventured to attack a party consisting of even three armed men."

(Enclosure No. 1.)

EXTRACT from the Minutes of the Executive Council, 30th October 1828.

Present, His Excellency the Lieutenant-Governor, his Honour the Chief Justice,
Jocelyn Thomas, Esq.

" THE Lieutenant-Governor referred the Council to the Minutes of the 10th April last, respecting the murders and outrages committed by the aboriginal Natives, and to the proclamation which was then issued for the purpose of expelling them from the settled districts, under the restrictions imposed by that proclamation.

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" For

1.
Extract from the
Minutes.
30 & 31 Oct. 1828.

2.
1 Nov. 1828.

3.
1 Nov. 1828.

4.
3 Nov. 1828.

“ For a short period after the troops were sent to the frontiers, and partially for a few weeks during the winter months, the Natives had been comparatively quiet ; but the numerous murders and robberies which had lately been again committed upon the white inhabitants had been marked by such a determined spirit of hostility and revenge, that not only the whole of the distant and detached stock-keepers were in imminent daily danger, but it appeared that even the inhabitants of the settled districts were insecure at their farms and homesteads ; attacks having recently been made upon them, and unoffending and defenceless women and children having fallen victims to the cruelties of those wretched people.”

“ In the atrocities recently committed by the Natives it was most painful to find they had, in several instances, manifested a desire to kill and destroy the white inhabitants whenever they had dared to attack them, and not for the purpose of plundering for food or property : and to such an extent had this disposition shown itself, that the settlers were unable with safety to carry on their necessary avocations without fire-arms, even within the immediate neighbourhood of their houses ; and the operations of wood-cutters and splitters were in some instances entirely suspended, and in others only performed under the daily apprehension of the workmen being destroyed by the Natives ; and so implacable a spirit had been evinced by the aboriginals, that it had been found impossible with safety for any individual to venture among them with a view of making conciliatory overtures, although the police magistrates and military officers on duty in the interior had been instructed to offer rewards to induce persons to make the attempt.”

“ The great difficulty in apprehending them, or identifying the perpetrators of a felony or murder, added to the increased cunning of the Natives, occasioned impediments to the ordinary modes of enforcing the law, which the magistrates and peace officers were unable to counteract, even with every assistance afforded by the military in aid of the civil power.”

“ Henry Glover, Esq., a magistrate residing at Sorell, and T. A. Lascelles, Esq., the police magistrate at Richmond, attended the Council, and pointed out the impossibility of proceeding to apprehend the Natives with any prospect of success after the commission of a crime amenable to the law of the realm.”

“ An abstract minute of the murders and aggressions committed by the Natives upon the white inhabitants since the publication of his Proclamation was laid before the Council, and the Lieutenant-Governor was pleased to require the opinion and advice of the Council, whether any, and what other measures should be resorted to by the Government for the protection of the settlers, their families and stock-keepers ; as some immediate decisive measures might in the end prove the most merciful.”

“ After considerable deliberation the Council adjourned the further deliberation of this subject until eleven o'clock to-morrow.”

EXTRACT from the Minutes of the Executive Council, 31st October 1828.

“ The Council thought that the papers now read were a strong confirmation of the opinion which the events of the two last years had led them to express on a former occasion, that all the Aboriginal Tribes of this island with which we are acquainted, except the tribe who visit Bruné Island, are actuated with one common purpose of murdering the white inhabitants whenever met with, and without distinction of age, sex or condition ; that their attacks had unhappily been attended with a degree of success, which, while it appeared to stimulate them to further hostilities, was well calculated to produce the great state of alarm which appeared to be felt generally by the inferior settlers and servants in husbandry.”

“ That the nature of the country, the distance at which the settlers resided from another, the manner in which the natives made their attacks, and were enabled to retire and conceal themselves, the difficulty of knowing them, and of detecting them in their hiding places, the impossibility of identifying the actual perpetrators of these enormities, either by knowledge of their persons, or by their being found in possession of any of the property of the victims of their attacks, were all so many circumstances which rendered the powers of the common law wholly inadequate to the suppression of these evils, and called loudly for the rigorous adoption of the measure of expelling them forcibly from the settled districts, as recommended by the Council on the 10th of April last ; and that for this purpose the Council advised his Excellency to issue a proclamation of martial law, and
regretted

regretted that it had not occurred to them to advise such a proclamation when the subject of the hostile acts of the aboriginal Natives was under discussion on the 10th of April, because they apprehended that such a proclamation would be necessary for the justification of many acts which must necessarily be done in furtherance of the measure of forcibly expelling them.

"The Council recommended, however, that the proclamation should be limited in its operation to the settled districts; and that to prevent misapprehension of its effect, it should contain a distinct notice, that even within those districts it would not operate to stop or suspend the ordinary course of law or practice, further than would be absolutely necessary to the employment of an armed force against the Natives."

"The Council feel the deepest regret in advising these measures, but they find themselves compelled to do so by an inevitable necessity."

"The outrages of the aboriginal Natives amount to a complete declaration of hostilities against the settlers generally. The civil powers, even when aided by the military, in cases in which by the common law such aid may be afforded, are insufficient to suppress them. Great and well-founded alarm generally prevails, and unless the measure recommended be adopted, the Council apprehend that the settlers, finding themselves unprotected by the law and the government, will be driven to take the remedy into their own hands. The case will then become one of a war of private persons, the duration of which it is impossible to conjecture, but the end of which will in all probability be the annihilation of the aboriginal tribes. A war of this kind, confined as it would be to casual and petty encounters, whatever may be its result, must necessarily be attended with a great destruction of human life."

"On the other hand, if the Government interposes promptly and vigorously, it may reasonably be hoped that by the combined operation of the troops and armed settlers, under the guidance of their officers and intelligent magistrates, peace and tranquillity may be restored, with comparatively little effusion of blood."

"Nor would the Council advise the immediate adoption of hostile measures if there appeared to be any probability that such extremities might be avoided by previous negotiation for delivering up the principals in these attacks, if any can be so considered where all appear to be equally active, and for security for the future. The fact being, as the Council believe, that there are no means of communicating with them. No person could be found who would venture to approach them alone, nor any number who would venture to do so unarmed; and such is the distrust of the aboriginal Natives, that it seems they invariably fly from any two or three armed persons. The independence of the several tribes one of another would make a separate communication with each necessary; to effect which, even if practicable, would require some time, while some instant step appears necessary to put an end to outrages which even now the Council have every reason to believe are in the course of commission."

"And after all, such is the treachery which the Natives have evinced in several cases, and so totally do they appear to be without government amongst themselves, that the Council much doubt if any reliance could be placed upon any negotiation which might be entered into with those who appear to be their chiefs, or with any tribe collectively."

"To inspire them with terror, the Council fear, will be found the only effectual means of security for the future."

(True Extracts.)

(signed)

John Montague,

Clerk of the Councils,

(Enclosure No. 2.)

BY His Excellency Colonel *George Arthur*, Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies.

A PROCLAMATION.

WHEREAS the black or aboriginal Natives of this Island have, for a considerable time past, carried on a series of indiscriminate attacks upon the persons and property of divers of His Majesty's subjects; and have, especially of late, perpetrated most cruel and sanguinary acts of violence and outrage, evincing an evident disposition systematically to kill and destroy the white inhabitants indis-

criminally

criminally whenever an opportunity of doing so is presented : And whereas, notwithstanding the proclamation made and issued by me on the 15th day of April last past, and that every practicable measure has, from time to time, been resorted to, under that proclamation, and otherwise, for the purpose of removing the Aborigines from the settled districts of the colony, and for putting a stop to the repetition of such atrocities, repeated inroads are daily made by the Natives into the said settled districts, and acts of hostility and barbarity there committed by them, as well as at the more distant stock-runs, and in some instances upon unoffending and defenceless women and children : And whereas also it seems at present impossible to conciliate the several tribes of that people ; and the ordinary civil powers of the magistrates, and the means afforded by the common law, are found by experience to be wholly insufficient for the general safety ; and it hath therefore become at length unavoidably necessary, for the effectual suppression of similar enormities, to proclaim and keep in force martial law, in the manner hereinafter proclaimed and directed.

Now therefore, by virtue of the powers and authorities in me in this behalf vested, I, the said Lieutenant-Governor, do by these presents declare and proclaim, that from and after the date of this my proclamation, and until the cessation of hostilities shall be by me hereafter proclaimed and directed, martial law is and shall continue to be in force against the several black or aboriginal Natives, within the several districts of this island ; excepting always the places and portions of this island next mentioned (that is to say) :

1. All the country extending southward of Mount Wellington to the Ocean, including Bruné Island.

2. Tasman's Peninsula.

3. The whole of the north-eastern part of this island, which is bounded on the north and east by the Ocean, and on the south-west by a line, drawn from Piper's River to St. Patrick's Head.

4. And the whole of the western and south-western part of this island, which is bounded on the east by the river Huon, and by a line drawn from that river over Teneriffe Peak, to the extreme western Bluff ; on the north by an east and west line from the said extreme western Bluff to the Ocean, and on the west and south by the Ocean.

And for the purposes aforesaid, all soldiers are hereby required and commanded to obey and assist their lawful superiors ; and all other His Majesty's subjects are required and commanded to obey and assist the magistrates, in the execution of such measures as shall by any one or more of such magistrates be directed to be taken for those purposes, by such ways and means as shall by him or them be considered expedient, so long as martial law shall continue to exist. But I do, nevertheless, hereby strictly order, enjoin and command, that the actual use of arms be in no case resorted to if the Natives can by other means be induced or compelled to retire into the places and portions of this island hereinbefore excepted from the operation of martial law ; that bloodshed be checked as much as possible ; that any tribes which may surrender themselves up shall be treated with every degree of humanity ; and that defenceless women and children be invariably spared.

And all officers, civil and military, and other persons whatsoever, are hereby required to take notice of this my proclamation and order, and to render obedience and assistance herein accordingly.

Provided, and it is hereby notified and proclaimed, that nothing herein contained shall or doth extend to interrupt or interfere with the ordinary exercise of the civil power, or the regular course of the common law, any further or otherwise than as such interruption shall, for the purpose of carrying on military operations against the Natives, be rendered necessary.

Given under my hand and seal at Arms, at the Government House in Hobart Town, this first day of November, One thousand eight hundred and twenty-eight.

(signed) *George Arthur.* (L. s.)

By His Excellency's command,

(signed) *J. Burnett.*

GOD SAVE THE KING !

(Enclosure No. 3.)

Sir,

Government House, 1st November 1828.

A PROCLAMATION is this day published, declaring martial law against the Aboriginal Natives of this island; and I have to express to you my most anxious desire, that the full spirit of the measure may be acted upon by yourself, and by every individual in the police department under your authority, with every possible promptness and activity, in co-operating with the military power.

I request you will most distinctly understand, that the Government puts forth its strength on this occasion by no means whatever with the view of seeking the destruction of the Aborigines; on the contrary, it is hoped, by energetic and decisive measures, and by punishing the leaders in the atrocities which have been perpetrated, that an end will be put to the lawless and cruel warfare which is now carrying on, and which must terminate in the total annihilation of the Natives. You will, therefore, see the necessity of regulating all proceedings in your district, as far as possible, by principles of moderation and humanity; and you will perceive the advantage and propriety of consultation and frequent communication with all the magistrates and respectable inhabitants, so as to form a combined plan of operation, and to leave nothing that is avoidable in the hands of undirected convicts, or other unauthorized persons.

You will have the goodness to transmit to the Colonial Secretary weekly reports of your operations, and therein to state, very minutely, what steps you may have taken for opening a conciliatory intercourse and arrangement with the tribes, or of compelling them to abandon the settled districts.

I will only further observe, that the policy of the Government will induce it to take by the hand, and give a certain predominance to, some one particular tribe, which may have been less guilty than others of atrocities towards the white inhabitants; and I shall be glad to receive from you any information which you may have the means of collecting, and which is likely to facilitate such an arrangement.

I have, &c.

(signed)

George Arthur.

(Enclosure No. 4.)

Sir,

Brigade Major's Office, 3d November 1828.

WITH reference to the instruction already issued for your conduct in proceeding against the Aboriginal Natives of this Colony, I am now directed to enclose, for your information, a proclamation issued by his Excellency the Lieutenant-Governor on the 1st instant, declaring martial law to be in force against that people, within this island, respecting certain defined portions thereof.

I am to express to you the most anxious desire of the Colonel Commanding, that the full spirit of the measure may be acted upon by yourself, and by every individual under your orders, in co-operating with every possible promptness and activity with the civil power; and I am in an especial manner to require from you the utmost personal exertion and attention to these orders.

You will understand that the Government puts forth its strength on this occasion by no means whatever with a view of seeking the destruction of the Aborigines; on the contrary, it is hoped, by energetic and decisive measures, and by punishing the leaders in the atrocities which have been perpetrated, that an end will be put to that lawless and cruel warfare which is now carrying on, and which must terminate in the annihilation of the Natives.

You will, therefore, see the necessity of conducting all proceedings in your district, as far as possible, with moderation and humanity, and you will perceive the advantage and propriety of cultivating a frequent communication with all the magistrates and respectable inhabitants, so as to proceed on a combined plan of operations, and to leave nothing that is avoidable in the hands of convicts, or other unauthorized persons.

You will transmit to me, for his Excellency's information, weekly reports of your operations, and therein state, very *minutely*, what steps you may have taken for opening a conciliatory intercourse and arrangement with the tribes, or for compelling them to abandon the settled districts.

I am only further to observe, that the policy of the Government will induce it to take by the hand, and give a certain predominance to, some one particular tribe,

tribe, which may have been less guilty of atrocities towards the white inhabitants ; and the Colonel Commanding will be pleased to receive any information you may collect, and which may be likely to facilitate such an arrangement.

As certain portions of the island are exempted from the operations of the Lieutenant-Governor's proclamation, and to which the Natives will naturally retire, you must be careful to instruct your parties to throw no impediments in their way when receding from the prescribed districts.

Three copies of the proclamation are enclosed herewith, for the information and guidance of the detachments from your station.

I have, &c.

(signed) *John Montague.*

— No. 6. —

COPY of a Despatch from Secretary *Sir George Murray* to Lieutenant-Governor *Arthur.*

Sir,

Downing-street, 25th August 1829.

I HAVE had the honour to receive your Despatch of the 4th of November, by which it appears, that in consequence of the determined spirit of hostility manifested by the black or aboriginal Natives of Van Diemen's Land, and the acts of barbarity which they have committed on defenceless settlers, you have found yourself compelled, as the only mode of preserving the lives of His Majesty's subjects, to resort to the extreme measure of proclaiming martial law with respect to the aboriginal inhabitants in those districts of your government which are the most exposed to the inroads of those people.

His Majesty's Government have learnt with extreme regret that you have been obliged to resort to this alternative. Whilst, however, they lament the ineffectual efforts which you have used to establish a friendly intercourse between the white population and the native tribes, they cannot, under all the circumstances, withhold their sanction from the measure which you have adopted. I have therefore to approve of the proclamation which you have issued for putting in force martial law, as a means of compelling the Natives to keep within certain districts prescribed, beyond the settled country ; and if the instructions given to the magistrates and other officers, founded upon that proclamation, be executed by them in the same spirit by which you have been guided, I trust that the result will not only secure the lives and property of the settlers, but benefit the Natives themselves.

It appears from a paragraph at the end of the circular instructions addressed to the military officers, that twelve sets of directions have been issued, one to each of the twelve officers employed, prescribing to each the manner in which he is to proceed, with relation to the circumstances of his own particular district, in removing the Natives.

I have to request that you will send me a copy of each of these sets of directions, together with copies of any other orders which may have been issued to those officers, or to any other persons entrusted with this difficult and anxious duty.

As you appear to have provided in your proclamation against any unnecessary interruption or interference with the ordinary course of the law, I will not urge this subject further upon you ; and His Majesty feels assured that you will recall your proclamation, and restore the law to its proper state, at the first moment after the accomplishment of the object for which your measures have been taken.

I have, &c.

(signed) *G. Murray.*

— No. 7. —

EXTRACT of a Despatch from Lieutenant-Governor *Arthur*, addressed to the Right Honourable Sir *George Murray*; dated Government House, Van Diemen's Land, 15th April 1830.

"IN your Despatch of the 25th August last, after acknowledging my Despatch of the 4th November 1828, in which I had the honour to lay before you the measures to which I had been compelled to resort in order to protect the settlers from the attacks of the aboriginal Natives, by the proclamation of martial law against them, you are pleased to require me to furnish you with a copy of the orders which had been issued to the military officers employed in aid of the civil power, in the protection of the settled districts, together with copies of any instructions which may have been given to any other persons entrusted with this difficult and anxious duty.

"In obedience to your directions, I beg to transmit copies of the whole of the instructions which have been issued, both to the civil and military authorities; the latter, indeed, have been almost entirely restricted to act as auxiliaries to the civil power.

"Your desire to be furnished with copies of these instructions leads me to conclude that His Majesty's Government will be well pleased to be supplied with still more ample information upon this highly interesting subject than my Despatches have hitherto contained, although I trust you will be satisfied that it has been my endeavour throughout to afford a comprehensive statement of our situation to His Majesty's Government.

"Some time before I was honoured with your communication, as the hostile spirit of the Natives appeared to increase rather than to subside, and as I observed there was some difference of opinion in the community, many respectable inhabitants in Hobart earnestly desiring a continuance of conciliating measures, whilst the residents in the interior deemed more severe measures essential to their preservation; I judged it expedient to appoint a committee to collect the most ample information, and to consider what measures it would be necessary to pursue; the records of such a committee, composed of the most discreet and most qualified officers of the government, I considered would afford a most satisfactory exposé, to answer any objections which might hereafter be raised to the proceedings of the government in this very anxious matter. The Committee is named in the margin, and I trust it will be found to incorporate gentlemen the least likely to countenance any measures of unnecessary harshness.

Archdeacon Broughton.
Rev. W. Bedford.
Rev. J. Norman.
P. A. Mulgrave, Esq.
Jocelyn Thomas, Esq.
James Scott, Esq.
Samuel Hill, Esq.
Charles Arthur, Esq.

"The arrival in Van Diemen's Land of Archdeacon Broughton, on his first visitation, enabled me to avail myself of his valuable aid as an additional member, and being uninjured by the Natives, and wholly unconnected with the settlers, his opinion, founded upon a very laborious research into the subject, is the more valuable.

"The zeal and industry with which the Committee has applied itself in collecting information, both oral and written, from all classes of persons, together with a most diligent inquiry into, and examination of all the orders and instructions which have been given by the Local Government from the earliest period upon this subject, have enabled it to trace out the origin and progress of this hostility, together with the views and measures of the Colonial Government, with very great precision; and in the ample Report which I have now the honour to lay before you, I feel very confident that it will be highly satisfactory to you to find, that, much as the present state of things is to be deplored, the orders and measures of the Government have been uniformly consistent in inculcating the most amicable and friendly feeling towards the aboriginal Natives.

"That the lawless convicts who have, from time to time, absconded, together with the distant convict stock-keepers in the interior, and the sealers employed in remote parts of the coast, have, from the earliest period, acted with great inhumanity towards the black Natives, particularly in seizing their women, there can be no doubt, and these outrages have, it is evident, first excited, what they were naturally calculated to produce in the minds of savages, the strongest feelings of hatred and revenge.

" On the other hand, it is equally apparent that the aboriginal Natives of this colony are, and ever have been, a most treacherous race; that the kindness and humanity which they have always experienced from the free settlers has not tended to civilize them in any degree, nor has it induced them to forbear from the most wanton and unprovoked acts of barbarity, when a fair opportunity presented itself of indulging their disposition to maim or destroy the white inhabitants.

" Our present state, there can be no doubt, is very distressing, as far as it places all remote settlers in much danger, and continued apprehension, from the sudden attacks of these savages; but notwithstanding the agitation which is excited, it is my deliberate opinion, founded on personal observation, having just returned from visiting the districts which have been most exposed to the incursions of the Natives, that there would be little to fear if ordinary measures of precaution were adopted with spirit by the settlers. The indifference I have generally noticed is quite remarkable, and strikingly manifests that people are always much more ready to complain of evils than disposed to exert themselves to overcome them; not that I mean to assert that the sudden attacks of the Natives are at all times to be avoided, and are not very alarming, but certainly much more precaution might be individually used in every family, and this is, after all, the only effectual security which can be given, unless a safety-guard were placed in every dwelling, a thing which is impossible.

" The Report of the Committee I received in the Executive Council on the 19th March, as I was desirous that there should be a full discussion of the whole subject, and that the members of the Council should obtain such further oral information as had not been incorporated by the Committee in the Report. And it was the decided opinion of the Council, that the recommendations of the Committee, so far as they advised still more energetic measures, should be forthwith carried into effect, but that no prospect of conciliation, however desirable conciliation was, should induce the least abatement of the most active operations.

" In the margin of the Report I have made such observations as present themselves to my mind on the several recommendations of the Committee, and I would earnestly beg to draw your particular attention to the whole of that document, which tends to throw a very great light on the most interesting, and, I may add, the most embarrassing circumstances of this Government. His Majesty's subjects must be protected, and the outrages of the black Natives must be repressed, and yet if it can be avoided these wretched people must not be destroyed.

" On the destruction by fire of the premises and corn-stacks of Mr. Howells and Captain Clark, and subsequently of Mr. Sherwin, the Council advised that a reward of 5*l.* should be offered for the capture of every adult Native, and 2*l.* for every child. This inducement to activity in capturing the Natives alive it seems most desirable to encourage, and I am glad to find it falls in with the view of the Committee. The Government Order which directs this reward will be found in Enclosure No. 1, p. 35, and it will, I trust, meet your approbation.

" I hope you will permit me to request,—

" First, That the strong detachment of the 63d regiment which is detained at Swan River may be relieved either from the Mauritius or the Cape, and ordered to join their corps, which will be a valuable acquisition to the force in this Colony.

" And, secondly, I would anxiously hope, that immediately on receipt of this Despatch, you will be pleased to recommend that all the transports about to sail with convicts *from England* (the Irish convict not having been hitherto sent to Van Diemen's Land) may be ordered to proceed to this Colony; at once 2,000 might be assigned away if they were at all a useful class of men, and by distributing them principally among the settlers in the most remote parts of the Colony, very great protection would be afforded at a very trifling expense to the Government. Should this suggestion meet your acquiescence, I would beg to recommend, that in taking up the transports, it may be provided in the charter-party that the Lieutenant-Governor should have the power to order any transport to proceed from Hobart to the port of Launceston, by which means a proportion of the convicts may be landed at once at the north side of the island if it be found desirable.

By the Report of the Committee you will perceive that the enmity of the Native inhabitants

inhabitants is coeval with our settlement in the Colony, and has been progressively increasing; and that they have hitherto rejected all our efforts to conciliate them. Their numbers, I am persuaded, are inconsiderable; although, from their migratory habits, it is difficult to calculate them with any certainty. They are naturally a slight and very feeble race, but certainly their exploits in the pursuit of plunder have rendered them much more daring and robust during the last two years; and it is rather the apprehension that they may become still more formidable that makes me uneasy than any dread of their present prowess.

At the moment of concluding this Despatch, I have received an encouraging report from two of the parties who are employed on an embassy of conciliation. Mr. Robinson, who proceeded to the south-west with a party to which were attached some Native black men who had been captured, reports that he has fallen in with a tribe, which had received him with so much kindness that he felt a strong hope of eventually conciliating them; and Mr. Batman, who has been employed on the north-east coast, represents that he has, through the intervention of some black women, a very reasonable prospect of conciliating a tribe in that quarter. These miserable beings, I make no doubt, are wearied with the harrassing life they have endured for a considerable time past, and would gladly be reconciled if they knew our real intentions towards them were those of kindness; but, unfortunately, the most conciliatory measures of the Government have been already frequently rendered nugatory by the barbarity of runaway convicts, or of detached stock-keepers."

(Enclosure No. 1.)

SCHEDULE of Government and Garrison Orders, Notices, Proclamations and Letters relative to the Natives.

1. Circular Letter to the Magistrates, dated 25th June 1824:—Enclosing a Proclamation, and enjoining attention to it in the several districts.
2. Proclamation, dated 23d June 1824:—The Natives of the Colony considered under British protection, and under the same laws as protect the settlers. Any violation of these laws against the Natives to be visited with the same punishment as if committed on the Settler.
3. Government and General Order, 4th November 1824:—The utmost attention to be paid towards a body of Natives while they remain in Hobart Town.
4. Government Notice, 13th September 1826:—The execution of two Natives it is hoped will prevent the commission of further outrages by the Aborigines, and to induce conciliation. The magistrates enjoined to impress on the minds of their servants the necessity of preserving a good understanding with this race. Any wanton injury offered to the Natives to be visited with the severest punishment which the law may prescribe.
5. Government Notice, 29th November 1826:—Great regret occasioned by the continuation of further outrages by the Natives, in return for kindness. A spirit of forbearance has been uniformly inculcated without any good result. The capture of their leaders an object of great importance, and measures for this purpose are promulgated.
6. Government Notice, 29th November 1827:—Further outrages committed by the Natives; to put an end to them, attention is directed to the Government Notice of 29th November 1826, and by the observance of the instructions contained therein, the Natives may be driven from the settled districts. Troops to aid the civil power will be afforded, but the adoption of vigorous measures by the magistrates and constables will, it is hoped, have the desired effect.
7. Garrison Order, 29th November 1827:—Military aid sent into the interior. All officers and non-commissioned officers are strictly enjoined to pay every attention to all applications for assistance from the civil power.
8. Proclamation, 15th April 1828:—The Natives forbidden to enter the settled districts on pain of forcible expulsion. Magistrates and others to conform to the instructions contained in this Proclamation for effecting the retirement or expulsion of the Aborigines.
9. Brigade-Major to Officers on detachments, 21st April 1828:—Forwarding Proclamation of the 15th April, and cautioning all officers in command at the

out-stations to use every means in their power to apprise the Natives of the necessity of their retiring from the settled districts.

10. Brigade-Major to Captain Walpole, 30th September 1828:—Enclosing for his guidance a Government Notice in the execution of his duty respecting the Natives in his district; and expressly intimating to him, that as the military are sent out in aid of the civil power, it is his duty to pay attention to the application of the police magistrate, and to send out detachments according to his suggestions.

11. Garrison Order, 24th October 1828:—Further military aid sent into the interior.

12. Proclamation, 1st November 1828:—Proclaiming Martial Law against the Natives within the several districts of the Island, excepting certain places and portions named therein.

13. Circular to the Magistrates, 1st November 1828:—Calling upon the magistrates to act up to the spirit of the Proclamation declaring martial law, a measure adopted not with a view of seeking the destruction of the Aborigines, but rather punishing the leaders in the several atrocities committed. Weekly reports of their operations to be made to the Colonial Secretary.

14. The Brigade-Major to Lieutenant Oliver, 1st November 1828:—Enclosing for his guidance a Government Notice in the execution of his duty respecting the Natives in his district, and expressly intimating to him, that as the military are sent out in aid of the civil power, it is his duty to pay attention to the application of the police magistrate, and to send out detachments according to his suggestions.

15. Brigade-Major to Officers on detachment, 3d November 1828:—Enclosing for their information a Proclamation declaring martial law, and enjoining them to act up to the spirit of the same, and in unison with the magistrates.

16. Government Notice, 11th December 1828:—The military out-posts extended to remote stations. The charge for the occupation of the settlers huts by the soldiers not to be admitted.

17. Garrison Order, 12th December 1828:—The troops in the interior to repel or capture the Natives. Small parties from the detachments to be constantly roving through the districts. Any Natives taken to be treated with kindness.

18. Circular to the Magistrates, 2d January 1829:—Called upon to render Mr. G. Robertson any assistance in their power.

19. Government Notice, 4th March 1829:—A salary of 50*l.* to be allowed a steady person who will endeavour to effect an intercourse with the Aborigines.

20. Garrison Order, 4th September 1829:—The officers on detachments to co-operate with the civil power; constantly to visit the out-stations, and exhort their men to use every exertion for the capture of the Natives.

21. Circular to the Magistrates, 11th September 1829:—Again enjoining them to act up to the spirit of the injunctions contained in the Proclamation declaring martial law; and any Natives captured to be treated with kindness and humanity.

22. Garrison Order, 15th September 1829:—Still more energetic measures to be adopted by the magistrates in the several districts. The attention of the officers called to the proclamations which have been issued; and especially to afford assistance to the civil power whenever called upon.

23. The Colonial Secretary to the Magistrates, 18th September 1829:—Enclosing for their information copy of Garrison Order.

24. The Town Adjutant to Captain Vicary, 5th February 1830:—The men at the out-posts cautioned to be very circumspect. The Natives to be captured rather than fired upon.

25. Government Order, 19th February 1830:—A reconciliation with the Natives. Rewards offered to any persons who shall open out an intercourse with the Native Tribes; and intimating that increased activity and vigilance on the part of the settlers, in furtherance of the measures adopted by the Government, can alone put an end to the present harrassing warfare.

26. Government Order, 25th February 1830:—The destruction of Mr. Sherwin's property by the Natives demands energetic proceedings on the part of the Settlers. Rewards for the capture of the Natives.

1.—Circular Letter to the Magistrates.

Sir,

Government House, June 25th, 1824.

I do myself the honour to enclose you a proclamation I have this day issued, and request you will give it every publicity, enjoining the utmost attention to the full intent and meaning of it, throughout your district.

I have, &c.

(signed) *George Arthur.*

2.—PROCLAMATION.

BY His Excellency Colonel *George Arthur*, Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies, &c. &c. &c.

WHEREAS it has been represented to his Honour the Lieutenant-Governor, that several Settlers and others are in the habit of maliciously and wantonly firing at, injuring and destroying the defenceless Natives and Aborigines of this island,

And whereas it is commanded by His Majesty's Government, and strictly enjoined by his Excellency the Governor-in-Chief, that the Natives of the Colony and its dependencies shall be considered under British government and protection.

These instructions render it no less the duty than it is the disposition of his Honour the Lieutenant-Governor to support and encourage all measures which may tend to conciliate and civilize the Natives of the island, and to forbid and prevent, and, when perpetrated, to punish, any ill-treatment towards them.

The Natives of this island being under the protection of the same laws which protect the settlers, every violation of those laws in the persons or property of the Natives shall be visited with the same punishment as though committed on the person or property of any settler. His Honour the Lieutenant-Governor therefore declares his determination thus publicly, that if after the promulgation of this proclamation, any person or persons shall be charged with firing at, killing, or committing any act of outrage or aggression on the native people, they shall be prosecuted for the same before the Supreme Court.

All magistrates and peace officers, and other His Majesty's subjects in this colony, are hereby strictly required to observe and enforce the provisions of this proclamation, and to make them known more especially to stock-keepers in their several districts, enjoining them not only to avoid all aggression, but to exercise the utmost forbearance towards the Aborigines, treating them on all occasions with the utmost kindness and compassion.

Given under my hand, at Government-house, Hobart Town, this twenty-third day of June one thousand eight hundred and twenty-four.

By command of his Honour the Lieutenant-Governor.

(signed) *John Montague*, Secretary.

GOD SAVE THE KING.

3.—Government and General Order.

Government House, Hobart Town,
November 4th, 1824.

A BODY of the Natives having come into Hobart Town, the Lieutenant-Governor begs to request that the utmost kindness may be manifested towards them, until some arrangement can be made by the government for providing for their accommodation, and removing them to some proper establishment.

It is in particular very earnestly desired that no spirits or other intoxicating liquor may be given them.

By command of His Honour the Lieutenant-Governor.

(signed) *John Montague*, Secretary.

4.—Government Notice.

Colonial Secretary's Office, Sept. 13, 1826.

IN the number of unhappy men upon whom the extreme sentence of the law has this morning been carried into execution, were the two Natives who murdered the

the stock-keeper of Mr. Hart, at Great Swan Port; and the Lieutenant-Governor would hope that this example may tend, not only to prevent the commission of similar atrocities by the Aborigines, but to induce towards them the observance of a conciliatory line of conduct, rather than harsh or violent treatment, the latter being but too likely to produce measures of retaliation, which have their issue in crime and death.

His Excellency is particularly desirous that magistrates and settlers generally shall impress on the minds of their servants, the necessity for preserving a good understanding with this ignorant race, which is alike dictated by humanity and self-interest; for although at present it may be found difficult, and perhaps impracticable to improve their moral condition, forbearance and kindness may do much toward lessening aggression on their part, and rendering them comparatively harmless.

Whilst, therefore, a manifestly wanton and direct violation of the common law of mankind, such as was perpetrated by the two individuals who suffered this day, will assuredly be visited with the same punishment, the Lieutenant-Governor is determined to protect the Aborigines of the colony from injury or annoyance, and on offenders in this respect the severest penalties which the law may prescribe will be inflicted without the slightest interposition of mercy.

By command of His Excellency.

(signed) *W. H. Hamilton.*

5.—Government Notice.

Colonial Secretary's Office, 29th Nov. 1826.

THE series of outrages which have of late been perpetrated by the Aborigines of the colony, and the wanton barbarity in which they have indulged by the commission of murder in return for kindness in numerous instances shown to them by the settlers and their servants, have occasioned the greatest pain to the Lieutenant-Governor, and called for his most anxious consideration of the means to be applied for preventing the repetition of these treacherous and sanguinary acts.

His Excellency has uniformly been anxious to inculcate a spirit of forbearance towards the Aborigines, in the hope that confidence and cordiality might subsist, and be conducive to their improvement, and the security of the colonists, but it is with extreme regret he perceives a result so contrary to his hope and expectation.

An impression however still remains, that these savages are stimulated to acts of atrocity by one or more leaders who, from their previous intercourse with Europeans, may have acquired sufficient intelligence to draw them into crime and danger; the capture of these individuals, therefore, becomes an object of the first importance, and to this point the Lieutenant-Governor would particularly direct the attention of those who may be called to aid the civil power in the execution of the justifiable measures to which they may have recourse; and His Excellency deems it necessary to promulgate, for general information, but especially for the guidance of the magistrates, constables, and military:

1st. If it should be apparent that there is a determination on the part of one or more of the native tribes to attack, rob, or murder the white inhabitants generally, any person may arm, and, joining themselves to the military, drive them by force to a safe distance, treating them as open enemies.

2d. If they are found actually attempting to commit a felony, they may be resisted by any person in like manner.

3d. Where they appear assembled in unusual numbers, or with unusual arms, or, although neither be unusual, if they evidently indicate such intention of employing force as is calculated to excite fear, for the purpose of doing any harm, short of felony, to the persons and property of any one, they may be treated as rioters, and resisted if they persist in their attempt.

4th. If they be found merely assembled for such purpose, the neighbours and soldiers armed may, with a peace officer or magistrate, endeavour to apprehend them; and if resisted, use force.

5th. If any of the Natives have actually committed felonies, the magistrates should make such diligent inquiries as may lead to certainty of the persons of the principals, or any of them, (whether this consists in knowledge of their names,

or any particular marks or characteristics by which these persons may be distinguished), and issue warrants for the apprehension of such principals. The officer executing a warrant may take to his assistance such persons as he may think necessary; and if the offenders cannot otherwise be taken, the officer and his assistants will be justified in resorting to force, both against the principals and any others who may, by any acts of violence, or even of intimidation, endeavour to prevent the arrest of the principals.

6th. When a felony has been committed, any person who witnesses it may immediately raise his neighbours and pursue the felons, and the pursuers may justify the use of all such means as a constable might use. If they overtake the parties, they should bid or signify to them to surrender; if they resist, or attempt to resist, the persons pursuing may use such force as is necessary; and if the pursued fly, and cannot otherwise be taken, the pursuers may then use similar means.

By command of the Lieutenant-Governor,

(signed) *W. H. Hamilton.*

6.—Government Notice.

Colonial Secretary's Office, 29th November 1827.

THE Lieutenant-Governor has, with great concern, received reports that the aggressions of the Aborigines against the stock-keepers and other white inhabitants have been renewed with increased violence, and that several murders have been perpetrated.

The protection of the settlers therefore calls for the prompt exertions of the civil power to put an end to these acts of barbarity; and his Excellency requests the attention of the magistrates throughout the colony to the Government Notice of the 29th November 1826, and enjoins them to act themselves with vigour upon the principles laid down in that Order, and desires them to invite and encourage the hearty co-operation of all persons in their respective districts, who are bound instantly to obey their summons, for the common defence and protection of the community.

By the observance of those instructions, without recourse to any measure not authorized by the existing law, his Excellency feels assured that the black Natives may be driven from the settled districts, which has now become a measure of indispensable necessity, as they cannot by conciliating means be induced to retire from them.

Sufficient troops to give confidence to the inhabitants will be at the disposal of the civil power in every district, and the number will be augmented as circumstances require; but his Excellency wishes it to be understood, that his confidence is chiefly reposed in the adoption of vigorous measures by the magistrates and constables, who, his Excellency feels assured, will not disappoint the expectations he has formed; that they will unite every degree of prudence and humanity with the energy and decision which are so necessary on this distressing occasion.

By command of the Lieutenant-Governor,

(signed) *J. Burnett.*

7.—Garrison Orders.

Brigade Major's Office, Hobart Town,
29th November 1827.

NO. 1. SEVERAL murders having been recently committed by the aboriginal Natives upon the detached settlers and stock-keepers in different parts of the interior of the island, and the civil power having represented the necessity of military aid for their protection, two subalterns, two serjeants, and 30 rank and file, of the 40th Regiment, will march from head quarters on Saturday morning next, at six o'clock, on this service. One subaltern and five privates will halt at Ross Bridge to strengthen the detachment at present stationed there; the remainder will proceed to the westward of Norfolk Plains, near the first Western River. The officer commanding the 40th Regiment will be pleased to select two

steady and experienced officers for this important duty, and desire them to attend at the Brigade Major's Office, at three o'clock to-morrow, to receive their routes and written instructions for their guidance.

2. These officers will be provided with a horse and a daily allowance of 2 s. 6 d. in lieu of forage.

3. A serjeant and 10 privates of the detachment of the 40th Regiment, under the orders of Captain Hibbert, at Oyster-bay, will proceed immediately to St. Paul's Plains, and that officer will put himself in communication with the party, and protect the country between those stations from the attacks of the Natives.

4. Captain Hibbert's station will be strengthened by 10 privates of the New South Wales Royal Veteran Company from Hobart Town.

Major Turton, 40th Regiment, will visit all the out-stations, and ascertain from the magistrates whether any and what additional military aid is necessary for the protection of the different districts, and he will (on this service only) report direct to the Brigade Major for the information of the Colonel Commanding.

The military parties in the interior being distributed for the purpose of aiding the civil power in every respect, the Colonel Commanding enjoins the strictest attention to all applications for assistance.

Weekly reports of the duties performed by the detachments will be forwarded to the Brigade Major's Office.

By Command.

8.—Proclamation, 15th April 1828.

BY His Excellency Colonel *George Arthur*, Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies.

A PROCLAMATION.

WHEREAS at and since the primary settlement of this Colony various acts of aggression, violence and cruelty have been, from different causes, committed on the Aboriginal inhabitants of the island by subjects of His Majesty; And whereas, for the preventing and punishing such sanguinary and wicked practices, it was by a certain General Order, made by Colonel David Collins, (then) Lieutenant-Governor of this island and its dependencies, at Government-house, Hobart Town, on the 29th day of January 1810, declared, "that any person whosoever who should offer violence to a Native, or should in cool blood murder, or cause any of them to be murdered, should, on proof being made of the same, be dealt with and proceeded against as if such violence had been offered or murder committed on a civilized person:" and it was also, by a certain Proclamation made and issued by me, as such Lieutenant-Governor as aforesaid, at Government-house, Hobart Town, on the 29th day of June 1824, after reciting the command of His Majesty's Government, and the injunction of his Excellency the Governor-in-Chief, that the Natives of this Colony and its dependencies should be considered as under British government and protection, declared, that every violation of the laws in the persons or property of the Natives, should be visited with the same punishment as if committed on the persons or property of any settler; and all magistrates and peace officers, and others His Majesty's subjects in this Colony, were thereby strictly required to observe and enforce the provisions of that Proclamation: And whereas the Aborigines did not only defend themselves and retaliate on the offenders, but did also, subsequently to the Order and Proclamation aforesaid, and notwithstanding the recital, declarations, and requisition mentioned, perpetrate frequent unprovoked outrages on the persons and property of the settlers in this island, and their servants, being British subjects, and did indulge in the repeated commission of wanton and barbarous murders and other crimes; for the repression of which, as also for the prevention of further offences by either of the said parties, instructions, directions and injunctions were promulgated, for general information, and for the especial guidance of the civil authorities and the military forces, by the Government Notices of the 29th November 1826, and the 29th November 1827, respectively.

And whereas those several measures have proved ineffectual to their objects, and the persons employed in the interior of this island as shepherds and stock-keepers, or on the coast as sealers, do still, as is represented, occasionally attack and injure the aboriginal Natives, without any authority, and the Aborigines have, during a considerable period of time, evinced, and are daily evincing, a growing spirit

spirit of hatred, outrage and enmity, against the subjects of His Majesty, resident in this Colony, and are putting in practice modes of hostility indicating gradual though slow advances in art, system and method, and utterly inconsistent with the peaceable pursuits of civilized society, the most necessary arts of human subsistence, or the secure enjoyment of human life.

And whereas, on the one hand, the security and safety of all who have intrusted themselves to this country on the faith of British protection, are imperatively required by the plainest principles of justice; and, on the other hand, humanity and natural equity, equally enforce the duty of protecting and civilizing the aboriginal inhabitants.

And whereas, the Aborigines wander over extensive tracts of country, without cultivating or permanently occupying any portion of it, making continual predatory incursions on its settled districts, a state of living alike hostile to the safety of the settlers, and to the amelioration of their own habits, character and condition.

And whereas, for the purposes of protecting all classes and orders of persons in this island and its dependencies; of bringing to an end, and preventing the criminal and iniquitous practices hereinbefore described, by whomsoever committed; of preserving, instructing and civilizing the Aborigines, and of leading them to habits of labour, industry and settled life, it is expedient, by a legislative enactment of a permanent nature, to regulate and restrict the intercourse between the white and the coloured inhabitants of this Colony, and to allot and assign certain specified tracts of land to the latter for their exclusive benefit and continued occupation.

And whereas, with a view to the attainment of those ends, a negociation with certain chiefs of aboriginal tribes has been planned; but some prompt and temporary measures are instantly called for, not merely to arrest the march, but entirely to cut off the causes and occasions of plunder and crime, and to save the further waste of property and blood; and it is therefore become indispensably necessary to bring about a temporary separation of the coloured from the British population of this territory, and that therefore the coloured inhabitants should be induced by peaceful means to depart, or should otherwise be expelled by force from all the settled districts therein.

Now therefore I, the Lieutenant-Governor aforesaid, in pursuance and in exercise of the powers and authorities in me vested in this behalf, do hereby notify, that for the purpose of effecting the separation required, a line of military posts will be forthwith stationed and established along the confines of the settled districts, within which the Aborigines shall and may not, until further order made, penetrate, or in any manner, or for any purpose, save as hereinafter specially permitted; and I do hereby strictly command and order all Aborigines immediately to retire and depart from, and for no reason, or on no pretence, save as hereinafter provided, to re-enter such settled districts, or any portions of land cultivated and occupied by any person whomsoever, under the authority of His Majesty's Government, on pain of forcible expulsion therefrom, and such consequences as may be necessarily attendant on it. And I do hereby direct and require all magistrates, and other persons by them authorized and deputed, to conform themselves to the directions and instructions of this my Proclamation, in effecting the retirement or expulsion of the Aborigines from the settled districts of this territory.

And I do further authorize and command all other persons whomsoever His Majesty's civil subjects in this Colony, to obey the directions of the civil, and to aid and assist the military power, (to whom special orders, adapted to situations and circumstances, will be given), in furtherance of the provisions hereof, and to resort to whatever means a severe and inevitable necessity may dictate and require for carrying the same into execution; subject, however, to the following rules, instructions, restrictions and conditions:

1. Lands, the property of the Crown and unlocated, or adjoining remote and scattered stock-huts, are not to be deemed settled districts, or portions of land cultivated or occupied within the meaning of this Proclamation.

2. All practicable methods are to be employed for communicating and making known the provisions of this Proclamation to the Aborigines, and they are to be persuaded to retire beyond the prescribed limits, if that be possible.

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3. On failing of the expedient last-mentioned, capture of their persons, without force, is to be attempted, and if effected, the prisoners are to be treated with the utmost humanity and compassion.

4. Whenever force cannot be avoided, it is to be resorted to, and employed with the greatest caution and forbearance.

5. Nothing herein contained shall authorize, or be taken to authorize, any settler or settlers, stock-keeper or stock-keepers, sealer or sealers, to make use of force (except for necessary self-defence) against any Aboriginal, without the presence and directions of a magistrate, military officer, or other person of respectability named and deputed to this service by a magistrate, of which class a numerous body will be appointed in each district; and any unauthorized act of aggression or violence committed on the person or property of an Aboriginal shall be punished as hereinbefore declared; and all Aborigines are hereby invited and exhorted to inform and complain, to some constituted authority, of any such misconduct or ill-treatment, in order to its coercion and punishment.

6. Nothing herein contained shall prevent the Aborigines from travelling annually, (according to their custom), until their habits shall have been rendered more regular and settled, through the cultivated or occupied parts of the island, to the sea coast, in quest of shell-fish for sustenance, on condition of their respective leaders being provided with a general passport, under my hand and seal, arrangements for which form a part of the intended negotiation.

Given under my hand and seal, at Government-house, Hobart Town, this fifteenth day of April, in the Year of our Lord one thousand eight hundred and twenty-eight.

(signed) *George Arthur.* (L. S.)

By his Excellency's command,

(signed) *J. Burnett.*

GOD SAVE THE KING.

9.—Brigade-Major to Officers on Detachments.

Sir,

Brigade-Major's Office,
Hobart Town, 21st April 1828.

ON Saturday last, the 19th instant, I was directed to transmit, for your information and guidance, a Proclamation, issued by his Excellency the Lieutenant-Governor, for the protection of the Aboriginal Natives of this Colony against the acts of aggression, violence and cruelty committed on them by the stock-keepers and others His Majesty's subjects, and for the purpose of causing the Natives to retire from and depart out of the settled districts of the island.

The instructions conveyed to you by that proclamation are as clearly defined as circumstances and the nature of the country will permit, nor is the Colonel Commanding aware of the necessity for enlarging upon them at present; but he has desired me to call your particular attention to that part of it detailing the measures to be adopted in case it may be found necessary to remove the Aborigines from the settled districts by force, and to caution you to abstain therefrom, unless all other means fail, and the necessity for such steps shall be inevitable.

I am instructed to call your attention to No. 2 of the reservations the Proclamation contains, and to acquaint you that the Colonel Commanding will authorize you to offer any reasonable pecuniary reward to any person who will be the channel of communicating to the Aborigines the provisions of the Proclamation; and to require you to exert yourself, in an especial manner, to make known to them the danger they will incur by continuing in or passing through the settled districts without conforming to the restrictions now imposed upon them by Article No. 6 of the same Proclamation.

Capt. D'Arcy,
R. V. Comp^r, George Town.

I have, &c.
(signed) *J. Montague,*
Major of Brigade.

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Forwarded

Forwarded the foregoing letter of 21st April, to these stations :

1.	Captain	Bishop	-	40th Regiment	-	-	Launceston.
2.	—	Hibbert	-	—	-	-	Oyster Bay.
3.	—	Jackson	-	57th	—	-	Brighton.
4.	Lieutenant	Williams,	40th	—	-	-	Clyde.
5.	—	Oliver	-	—	-	-	New Norfolk.
6.	—	Serjeantson	-	—	-	-	Punt South Esk.
7.	Ensign	Lewis	-	—	-	-	St. Paul's Plains.
8.	—	Bulkely	-	—	-	-	Isis.
9.	—	Coddington	-	—	-	-	Norfolk Plains.
10.	—	Alsop	-	—	-	-	Oatlands.
11.	Captain	Butler	-	—	-	-	Macquarrie Harbour.

10.—Brigade-Major to Captain Walpole.

Brigade Office, Hobart Town,
30th September 1828.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 23d instant, requesting to be furnished with orders and instructions for your guidance in the performance of your duty at Ross, which it appears were taken away by Captain Dalrymple, 40th Regiment, when he proceeded from that station to Oyster Bay.

In reply, I am directed to acquaint you, that the object of stationing the party under your command at Ross is to protect that neighbourhood from the attacks and aggressions of the aboriginal Natives ; but, from the peculiar nature of the duty you are to be employed upon, it would be impossible for the Colonel Commanding to define your instructions in every particular ; I am, however, directed to enclose, for your information and guidance, copy of a Government Notice relating immediately to the subject of the aggressions by the aboriginal Natives.

As the military are sent out for the protection of the inhabitants, and in aid of the civil power, I am to acquaint you, that the Colonel Commanding desires you will pay the most ready attention to the application of James Simpson, Esq., police magistrate at Campbell Town, (or of any other magistrate), when required ; and should it be considered advisable for you to act in any manner against the Natives, which is not pointed out in the instruction of November 1826, the Proclamation issued by his Excellency the Lieutenant-Governor, for the protection of the aboriginal Natives of this Colony against the acts of aggression, violence and cruelty committed on them by the stock-keepers and others His Majesty's subjects, and for the purpose of causing the Natives to retire from and depart out of the settled districts of the island, is enclosed for your information and guidance.

The instructions are as clearly defined as circumstances and the nature of the country will permit ; nor is the Colonel Commanding aware of the necessity for enlarging upon them at present, but he has desired me to call your particular attention to that part of them detailing the measures to be adopted, in case it may be found necessary to remove the Aborigines from the settled districts by force, and to caution you therefrom, unless all other means fail, and the necessity for such steps shall be inevitable.

I am instructed to call your attention to the reservations the proclamation contains ; and to acquaint you, the Colonel Commanding will authorize you to offer any reasonable pecuniary reward to any person who will be the channel of communicating to the Aborigines the provisions of the proclamation ; and to require you to exert yourself in an especial manner to make known to them the danger they will incur by continuing in, or passing through, the settled districts, without conforming to the restrictions, now imposed upon them, by article No. 6 of the same proclamation.

It is hardly necessary for the Colonel Commanding to point out to you the importance of attaching, on all occasions, a police officer to your party, who will represent the civil power, in executing any service upon which the military may be employed.

You will send out detachments from your party in the direction Mr. Simpson may suggest, within the district you are to protect; and which (as it cannot be more accurately defined,) must be considered to extend to the northward as far as the South Esk River, and Saint Paul's Plains, to Staine's and Troy's: your district to the southward will extend to Kitty's Corner, and Maloney's Sugar Loaf, on the eastern side of the Macquarrie River only.

You will direct Ensign Maule, 39th Regiment, who is stationed at Saint Paul's Plains, to report to you whenever any unusual circumstance may occur to require the presence and assistance of a superior officer; and you will be pleased to make weekly reports to me, for his Excellency's information, (for which purpose blank forms are enclosed), of the movements of your detachments, and the duties performed; and also to communicate any information you may obtain of the aboriginal Natives.

The General and Garrison Orders, applicable to the duties of officers in command of out-stations, are herewith transmitted for your further information and guidance.

I have, &c.

(signed)

J. Montague,

Major of Brigade.

Captain Walpole, 39th Regiment,
Ross.

11.—Garrison Order, No. 2.

Brigade Major's Office, Hobart Town, 24th October 1828.

In consequence of the renewed hostilities of the aboriginal Natives, and the murders recently committed on the inhabitants in the interior, the Colonel Commanding deems it necessary to augment the military detachments for the purpose of strengthening the out-stations.

With this view a detachment of the 40th Regiment, consisting of 5 sergeants, 5 corporals, and 58 privates, will march from Hobart Town on Monday morning, at 9 o'clock, the 27th instant, to increase the undermentioned stations:

	Serjeants.	Corporals.	Privates.
Punt - - -	- 1 - -	1 - -	9
Isis - - -	- - -	1 - -	12
St. Paul's Plains	- 1 - -	- - -	10
Ross - - -	- 1 - -	2 - -	13
Oatlands - -	- 1 - -	1 - -	9
Pitt Water -	- 1 - -	- - -	5
	5	5	58

The Barrack-Master will be pleased to furnish carts for the bedding.

By Command.

Garrison Order, No. 4.

Brigade Office, Hobart Town, 12th December 1828.

As all out-stations are now amply provided with biscuit and salt provisions, the Colonel Commanding is desirous of impressing upon the minds of officers upon duty in the interior the importance and necessity of exerting every energy to repel from or capture the aboriginal Natives in their respective districts. During the summer months, all the small parties from the detachments should be instructed to be constantly on search, and by forming themselves into parties of eight or ten each, with provisions for 14 or 16 days at a time, with properly organized plans and arrangements, little doubt can exist of the beneficial results which would arise from such a combined system of operations. His Excellency therefore calls the immediate and serious attention of both officers and men to this order, and hopes the result of their increased exertions will shortly evince their perfect obedience to it. Should any of the Natives be captured they are to be treated with kindness, and forwarded, under a sufficient escort, to the gaol of Richmond Township, Coal River District.

By Command.

12.—Proclamation, 1st Nov. 1828.

BY his Excellency Colonel *George Arthur*, Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies.

A PROCLAMATION.

WHEREAS the black or aboriginal Natives of this Island have, for a considerable time past, carried on a series of indiscriminate attacks upon the persons and property of divers of His Majesty's subjects, and have, especially of late, perpetrated most cruel and sanguinary acts of violence and outrage, evincing an evident disposition systematically to kill and destroy the white inhabitants indiscriminately whenever an opportunity of doing so is presented: And whereas, notwithstanding the proclamation made and issued by me on the 15th day of April last past, and that every practicable measure has been from time to time resorted to, under that proclamation and otherwise, for the purpose of removing the Aborigines from the settled districts of the Colony, and for putting a stop to the repetition of such atrocities, repeated inroads are daily made by the Natives into the said settled districts, and acts of hostility and barbarity there committed by them, as well as the more distant stock-runs, and in some instances upon unoffending and defenceless women and children: And whereas also it seems at present impossible to conciliate the several tribes of that people; and the ordinary civil powers of the magistrates, and the means afforded by the common law, are found by experience to be wholly insufficient for the general safety, and it hath therefore become at length unavoidably necessary, for the effectual suppression of similar enormities, to proclaim and keep in force martial law, in the manner hereinafter proclaimed and directed. Now, therefore, by virtue of the powers and authorities in me in this behalf vested, I, the said Lieutenant-Governor, do by these presents declare and proclaim, that from and after the date of this my proclamation, and until the cessation of hostilities shall be by me hereafter proclaimed and directed, martial law is and shall continue to be in force against the black or aboriginal Natives, within the several districts of this island, excepting always the places and portions of this island next mentioned (that is to say):

1st. All the country extending southward of Mount Wellington to the Ocean, including Bruné Island.

2d. Tasman's Peninsula.

3d. The whole of the north-eastern part of this island which is bounded on the north and east by the Ocean, and the south-west by a line drawn from Piper's River to St. Patrick's Head.

4th. And the whole of the western and south-western part of this island, which is bounded on the east by the River Huon, and by a line drawn from that river over Teneriffe Peak to the extreme Western Bluff; on the north by an east and west line from the said extreme Western Bluff to the Ocean; and on the west and south by the Ocean.

And for the purpose aforesaid, all soldiers are hereby required and commanded to obey and assist their lawful superiors, and all other His Majesty's subjects are required and commanded to obey and assist the magistrates in the execution of such measures as shall by any one or more of such magistrates be directed to be taken for those purposes, by such ways and means as shall by him or them be considered expedient, so long as martial law shall continue to exist. But I do, nevertheless, hereby strictly order, enjoin and command, that the actual use of arms be in no case resorted to if the Natives can by other means be induced or compelled to retire into the places and portions of this island hereinbefore excepted from the operation of martial law; that bloodshed be checked as much as possible; that any tribes which may surrender themselves up shall be treated with every degree of humanity, and that defenceless women and children be invariably spared. And all officers, civil and military, and other persons whatsoever, are hereby required to take notice of this my Proclamation and Order, and to render obedience and assistance herein accordingly.

Provided nevertheless, and it is hereby notified and proclaimed, that nothing herein contained shall or doth extend to interrupt or interfere with the ordinary exercise of the civil power, or the regular course of the common law, any further

or otherwise than as such interruption shall, for the purpose of carrying on military operations against the Natives, be rendered necessary.

Given under my hand and seal at Arms, at the Government-House, Hobart Town, this first day of November, in the year of our Lord One thousand eight hundred and twenty-eight.

(signed) *George Arthur.* (L.S.)

By his Excellency's command,

(signed) *J. Burnett.*

GOD SAVE THE KING.

13.—Circular to the Magistrates.

Sir,

Government House, 1st November 1828.

A PROCLAMATION is this day published declaring martial law against the aboriginal Natives of this island, and I have to express to you my most anxious desire that the full spirit of the measure may be acted upon by yourself, and by every individual in the police department under your authority, with every possible promptness and activity, in co-operating with the military power.

I request you will most distinctly understand, that the Government puts forth its strength on this occasion by no means whatever with the view of seeking the destruction of the Aborigines; on the contrary, it is hoped, by energetic and decisive measures, and by punishing the leaders in the atrocities which have been perpetrated, that an end will be put to the lawless and cruel warfare which is now carrying on, and which must terminate in the total annihilation of the Natives. You will, therefore, see the necessity of regulating all proceedings in your district, as far as possible, by principles of moderation and humanity; and you will perceive the advantage and propriety of consultation and frequent communication with all the magistrates and respectable inhabitants, so as to form a combined plan of operation, and to leave nothing that is avoidable in the hands of undirected convicts, or other unauthorized persons.

You will have the goodness to transmit to the Colonial Secretary weekly reports of your operations, and therein to state very minutely what steps you may have taken for opening a conciliatory intercourse and arrangement with the tribes, or of compelling them to abandon the settled districts.

I will only further observe, that the policy of the Government will induce it to take by the hand, and give a certain predominance to, some one particular tribe, which may have been less guilty than others of atrocities towards the white inhabitants, and I shall be glad to receive from you any information which you may have the means of collecting, and which is likely to facilitate such an arrangement.

W. H. Hamilton, Esq.

(signed)

I have, &c.

Geo. Arthur.

14.—The Brigade Major to Lieutenant Oliver.

Sir,

Brigade Major's-Office, 1st November 1828.

I HAVE the honour to furnish you with Orders and Instructions for your guidance in the performance of your duty at Pitt-water, where you have directions to proceed by the Garrison Order of this date. I am directed to acquaint you, that the object of stationing you and the party under your command at Pitt-water is to protect that neighbourhood from the attacks and aggressions of the aboriginal Natives; but, from the peculiar nature of the duty you are to be employed upon, it would be impossible for the Colonel Commanding to define your instructions in every particular; I am, however, directed to enclose for your information and guidance, copy of a Government Notice relating immediately to the subject of the aggressions of the aboriginal Natives.

As the military are sent out for the protection of the inhabitants, and in aid of the civil power, I am to acquaint you, that the Colonel Commanding desires you will pay the most ready attention to the application of T. A. Lascelles, Esq. police magistrate at Richmond, to whom you will show this letter of instructions as soon as possible, (or of any other magistrate), when required; and should it be considered advisable for you to act in any manner against the Natives which is not

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pointed out in the instructions of November 1826, the Proclamation issued by his Excellency the Lieutenant-Governor for the protection of the aboriginal Natives of this Colony against the acts of aggression, violence and cruelty committed on them by the stock-keepers and others His Majesty's subjects, and for the purpose of causing the Natives to retire from, and depart out of, the settled districts of the island, is enclosed for your information and guidance.

The instructions are as clearly defined as circumstances and the nature of the country will permit, nor is the Colonel Commanding aware of the necessity for enlarging upon them at present, but he has desired me to call your particular attention to that part of them detailing the measures to be adopted in case it may be found necessary to remove the Aborigines from the settled districts by force, and to caution you therefrom, unless all other means fail, and the necessity for such steps shall be inevitable.

I am instructed to call your attention to No. 2 of the reservations the Proclamation contains, and to acquaint you the Colonel Commanding will authorize you to offer any reasonable pecuniary reward to any person who will be the channel for communicating to the Aborigines the provisions of the Proclamation, and to require you to exert yourself in an especial manner to make known to them the danger they will incur by continuing in, or passing through, the settled districts, without conforming to the restrictions now imposed upon them by Article No. 6 of the same Proclamation.

It is hardly necessary for the Colonel Commanding to point out to you the importance of attaching, on all occasions, a police officer to your party, who will represent the civil power, in executing any service upon which the military may be required.

You will send out detachments from your party in the direction Mr. Lascelles may suggest, within the district you are to protect, and which (as it cannot be more accurately defined) must be considered to be bounded on the westward by the Coal River, as far as Jerusalem, and on the northward by an east line from thence to Prosser's River, and from that River to the Sea, and thence along the coast from its mouth to Richmond Township, following the coast round by Tasman's Peninsula, until it joins the mouth of the Coal River. You will be pleased to make weekly reports to me for his Excellency's information (for which purpose blank forms are enclosed) of the movements of your detachments, and the duties performed, and also to communicate any information you may obtain of the Aboriginal Natives.

The General and Garrison Orders applicable to the duties of officers in command of out-stations are herewith transmitted for your further information and guidance.

Lieut. J. B. Oliver,
40th Regiment.

I have, &c.
(signed) *J. Montague*, Major of Brigade.

15.—Brigade Major to Officers on Detachment.

Sir,

Brigade Major's Office, 3d Nov. 1828.

WITH reference to the instructions already issued to you for your conduct in proceeding against the aboriginal Natives of this Colony, I am now directed to enclose for your information a Proclamation issued by His Excellency the Lieutenant-Governor on the 1st inst., declaring martial law to be in force against that people within this island, excepting certain defined portions thereof.

I am to express to you the most anxious desire of the Colonel Commanding that the full spirit of the measure may be acted upon by yourself, and by every individual under your orders, in co-operating, with every possible promptness and activity, with the civil power; and I am, in an especial manner, to require from you the utmost personal exertion and attention to these orders.

You will understand that the Government puts forth its strength on this occasion by no means whatever with a view of seeking the destruction of the Aborigines; on the contrary, it is hoped, by energetic and decisive measures, and by punishing the leaders in the atrocities which have been perpetrated, that an end will be put to that lawless and cruel warfare which is now carrying on, and which must terminate in the annihilation of the Natives.

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You will therefore see the necessity of conducting all proceedings in your district, as far as possible, with moderation and humanity ; and you will perceive the advantage and propriety of cultivating a frequent communication with all the magistrates and respectable inhabitants, so as to proceed upon a combined plan of operations, and to leave nothing that is avoidable in the hands of undirected convicts, or other unauthorized persons.

You will transmit to me, for his Excellency's information, weekly reports of your operations, and therein state very *minutely* what steps you may have taken for opening a conciliatory intercourse and arrangement with the tribes, or for compelling them to abandon the settled districts.

I am only further to observe, that the policy of the Government will induce it to take by the hand, and give a certain predominance to, some particular tribe which may have been less guilty of atrocities towards the white inhabitants ; and the Colonel Commanding will be pleased to receive any information you may collect, and which may be likely to facilitate such an arrangement.

As certain portions of the island are exempted from the operation of the Lieutenant-Governor's proclamation, and to which the Natives will naturally retire, you must be careful to instruct your parties to throw no impediments in their way when receding from the prescribed districts.

I have, &c.

(signed) *J. Montague*, Major of Brigade.

To the Officers in command at the out-stations.

To Captain Dalrymple, 40th Regiment, Ensign Maule, 39th Regiment, with the following addition :

The country to the northward and eastward of your districts being reserved for the occupation of the Natives, I am to direct you to instruct your parties not to interfere with the tribes in retiring upon that portion of the island ; and, should you find yourself compelled to remove them from the settled districts, you will endeavour to force them into that quarter.

To Lieutenant Williams, 40th Regiment, and Lieutenant Dexter, 63d Regiment, and the other Officers in command at the districts bordering on the lands excepted in the Proclamation.

16.—Government Notice.

Colonial Secretary's Office, 11th December 1828.

It has become necessary, in consequence of the repeated incursions of the Aborigines, to extend the military out-posts to remote stations, where no quarters have been erected for the accommodation of the troops ; the Lieutenant-Governor therefore requests the settlers, residing in the vicinity of those stations, will supply the military parties with the authorized ration, for which they will be paid by the Commissariat ; but his Excellency feels satisfied that, on application, the settlers will be sensible, as the parties are sent solely for their protection against the runaway convicts and the Aborigines, that they should gratuitously afford such accommodation as is within their power, consequently no charge for the temporary occupation of their huts by the military will henceforth be sanctioned or admitted into the public accounts.

The circumstance of some few individuals having charged the Government for such temporary accommodation, whilst it has generally been gratuitously afforded, renders it necessary for the Lieutenant-Governor to make known the course which will be pursued.

By his Excellency's command.

(signed) *J. Burnett*.

17.—Garrison Orders.

Brigade Office, 12th December 1828.

THE Colonel Commanding has learnt with regret that proper attention has not been paid to the General Order, No. 2, 3d January 1827, directing the mixture of three-fourths of water to one-fourth of spirits when issued to the troops quartered in the interior, and desires, in a most particular manner to call the attention of the officers in command to this subject; his Excellency desires it may be notified to the Commissariat Clerks and Storekeepers in charge at out-stations, that they will be held strictly responsible that no issues of spirits are made by them for more than one day at a time, and should any deviation from this order, or any invitation on their parts to the officers in command to authorize larger issues to be made apparent, such a dereliction of duty will lead to their immediate removal from the Commissariat department.

It has been represented to the Colonel Commanding, that some soldiers quartered in the interior, at stations where there is not a Commissariat Clerk or Storekeeper in charge, have refused to receive the commutation of tea and sugar in lieu of spirits, because they consider themselves entitled to rum. The officers in command at out-stations will therefore notify to their detachments, that the allowance of spirits is only a gratuity from the Crown, and not a part of the ration the soldier is entitled to receive for the stoppages from his daily pay: as neither back rations or a money commutation in lieu of them are authorized, the men who have refused on the present occasion to receive the allowance of tea and sugar fixed by the Garrison Order of the 21st June 1827, have by that conduct deprived themselves of the indulgence.

As all out-stations are now amply provided with biscuit and salt provisions, the Colonel Commanding is desirous of impressing upon the minds of officers on duty in the interior the importance and necessity of exerting *every energy* to repel from or capture the aboriginal Natives in their respective districts during the summer months. All the small parties from the detachments should be instructed to be constantly on search, and by forming themselves into parties of eight or ten each, with provisions for 14 or 16 days each at a time, with properly organized plans and arrangements, little doubt can exist of the beneficial results which would arise from such a combined system of operations. His Excellency therefore calls the immediate and serious attention of both officers and men to this order, and hopes the result of their increased exertions will shortly evince their perfect obedience to it.

Should any of the Natives be captured, they are to be treated with kindness, and forwarded, under a sufficient escort, to the gaol of Richmond Township, Coal River District.

By Command.

18.—Circular to the Magistrates.

Sir,

Colonial Secretary's Office, 2d January 1829.

AN arrangement having been made whereby Mr. Gilbert Robertson will have charge of a roving party of 10 or 12 men, to be employed in the capture of the Aborigines; I am directed by the Lieutenant-Governor to request that, upon his application, he may receive from you the utmost assistance in whatever way it can be afforded.

I have, &c.

(signed)

J. Burnett.

19.—Government Notice, No. 49.

Colonial Secretary's Office, March 4, 1829.

IN furtherance of the Lieutenant-Governor's anxious desire to ameliorate the condition of the Aboriginal inhabitants of this territory, his Excellency will allow a salary of 50*l.* per annum, together with rations, to a steady person of good character,

racter, who can be well recommended, who will take an interest in effecting an intercourse with this unfortunate race, and reside upon Bruné Island, taking charge of the provisions supplied for the use of the Natives of that place.

By his Excellency's command.

(signed)

J. Burnett.

20.—Garrison Orders.

Town Adjutant's Office, 4th September 1829.

1. THE detachment 57th Regiment stationed at St. Paul's Plains, will be held in readiness to proceed to Westbury, to relieve the detachment 63d Regiment, under the command of Lieutenant Dexter, who will proceed and occupy the station at St. Paul's Plains. This arrangement will be carried into effect whenever the state of the roads will admit of the baggage being forwarded.

2. When the change has been carried into effect, Major Douglas will make arrangements in order that a company be concentrated at Ross to furnish the out-stations from thence.

3. As it appears by the reports of last week that the Aboriginal Natives have in no degree relaxed in their outrages upon the settlers and their assigned servants, it is of urgent importance that the officers on detachment should zealously enter into the measures which are now pursuing by the parties employed in this service by the civil power; and the Colonel Commanding hopes they will afford the most effectual co-operation in constantly visiting their out-stations, minutely inquiring into the conduct of the men, and exhorting them by every possible means to display that combination of zeal, forbearance and temperance, on this occasion, which is the true characteristic of good soldiers acting for the protection of a community.

By Command.

(signed)

F. Aubin,

Acting Town Adjutant.

(A true Copy.)

Acting Town Adjutant.

21.—Circular to the Magistrates.

Sir,

Colonial Secretary's Office, 11th September 1829.

THE obligation of protecting the Colonists having impelled the Government to adopt more energetic measures for checking the continued atrocities of the Aborigines, I am directed by the Lieutenant-Governor earnestly to impress upon you the necessity of acting up to the spirit of the injunctions contained in the Proclamation of Martial Law, promulgated on the 1st of November 1828; that bloodshed be checked; that any Natives who may surrender or be captured be treated with humanity and tenderness, and that defenceless women and children be invariably spared.

It will be your duty to enjoin the strictest attention to be paid by the parties under your orders, *or employed in your district*, to these commands, as from the number now employed it must happen that there will be frequent exercise for their forbearance.

I have, &c.

(signed)

J. Burnett.

22.—Garrison Order.

Town Adjutant's Office, 15th September 1829.

THE atrocities of the aboriginal Natives, of which the Colonel Commanding continues to receive the most unpleasant reports from all parts of the island, have rendered it essential that the police magistrates should, in their several districts, adopt some still more energetic steps than have yet been pursued. With this view an additional constabulary force, consisting of seven parties, has been attached

attached, to aid the Field-police in the especial service of pursuing the Native tribes, and of driving them from the settled districts, if it be not possible to surround and capture them. It being essential that these parties should not interfere with each other, and should move from and resort to one given centre, the whole have been placed under the direction of the police magistrate resident at Oatlands.

2. The military parties, which are stationed in the interior for the express object of affording the most prompt assistance to the civil power at this important juncture, the Colonel Commanding feels persuaded will, by the most zealous co-operation, render every aid to protect the settlers from the revengeful feelings of the Natives, who have, during the past week, added several barbarous murders to the catalogue already committed.

3. But whilst the aid of the military power is directed to the lawful end of supporting the civil authorities, the Colonel Commanding desires most pointedly to call the attention of every officer and soldier, employed at the out-posts, to the strict injunctions contained in the Proclamation of the 1st November 1828, and to the orders which were given thereupon to all officers commanding at the out-stations, viz., that bloodshed be checked; that any Natives who may surrender, or be captured, be treated with humanity and tenderness, and that defenceless women and children be invariably spared.

4. From the established stations of New Norfolk, the Clyde, Oatlands, Sorell, Auburn, Ross, St. Paul's Plains, Waterloo Point, Westbury, and Launceston, the officers in command will continue, on the application of the civil power, to send out small parties to the most remote or most exposed establishments in these Districts, and will direct these parties to patrol the country all round their posts. It is most essential that these parties should be relieved as often as circumstances will afford; and the officers are provided with horses for the purpose of frequently visiting them, a duty which the Colonel Commanding expects will be carried into effect with unremitting zeal, for on it greatly depends the discipline and usefulness of the soldiers under their command.

5. The officers in command at the out-stations are to understand that they are on garrison duty, and that they are required to make, to the Town Adjutant, for the immediate information of the Colonel Commanding, the most detailed reports every week of all occurrences of importance within their several districts, expressly noting the stations they have visited, and the days on which they have visited them; with these reports the Colonel Commanding will be gratified at receiving the result of such reflections as will naturally occur to an intelligent officer, who has an opportunity of observing the effect of the measures which are directed to ensure the tranquillity of the country, by the suppression of bush-ranging, and the removal of the Aborigines from the settled districts, whom it seems at present impossible to conciliate.

7. The Colonel Commanding takes this opportunity of observing, that he has felt much regret that the strength of the force at head-quarters has rendered it impossible to send such additional strength to the out-stations as the officers have required; and he must consequently look to them to supply, as far as possible, what is wanting, by their own increased vigilance and activity; the cheerful application of these, combined with good arrangements, often effects what the strongest force fails to achieve. Every officer and soldier in this Colony must feel that his own individual efforts are essential towards the general security, and consequently every degree of deprivation must be endured with alacrity; and strengthened and encouraged by a hearty and zealous military co-operation, there can be no doubt that the civil power will soon be found quite adequate to put an end to the outrages of the Natives, and continue to enforce a due degree of subordination on the convicts without the apprehension of their absconding.

By Command.

23.—The Colonial Secretary to the Magistrates.

Sir,

Colonial Secretary's Office, 18th Sept. 1829.

I AM directed to transmit for your information the enclosed copy of a Garrison Order of the 15th instant.

I have, &c.

The Police Magistrates of the Colony.

(signed) *J. Burnett.*

15th September.

24.—The Town Adjutant to Captain Vicary.

Sir,

Town Adjutant's Office, 5th Feb. 1830.

HAVING laid your letter of the 2d instant before the Colonel Commanding, in which you represent that the Aborigines had attacked Mr. Brodie, at his house, and wounded him: In expressing his Excellency's very great concern, I am directed to inform you in reply, that the Colonel Commanding considers that by your strongly cautioning the men on the out-posts that they cannot be too circumspect in not being seen by day, and that they ought to remain quiet in the huts as much as possible, it would enable them to capture some of them, for otherwise it is quite hopeless to think of surprising the Natives; of all things it is most desirable to capture, rather than to fire upon, the Natives; and conciliation is an object of the highest importance, never to be lost sight of.

I have, &c.

Capt. Vicary,
63d Regiment.

(signed) *F. Aubin,*
Town-Adjutant.

25.—Government Order, No. 1.

Colonial Secretary's Office, February 19th, 1830.

It is with concern quite inexpressible that the Lieutenant-Governor continues to receive statements of the atrocities committed by the Aborigines.

The moderation, however, with which a mob of Natives have in one instance lately conducted themselves in the neighbourhood of Bothwell, affords some ground to hope that the way to a reconciliation may be opening; his Excellency, therefore, most anxiously wishes promptly to promote this desired end; and as it is evident from the hostile spirit of the Natives, and from the cunning which seems common to all savages, that they are not to be approached, even with a view to reconciliation, without some personal danger, the Lieutenant-Governor is prepared to offer a handsome reward to any individual who shall effect a successful intercourse with any tribe; and if the individual be a convict, he shall receive an immediate pardon.

The Lieutenant-Governor hopes that every Colonist will not only afford to any well-conducted prisoners in his service the opportunity to render themselves useful on this occasion, but will encourage the enterprise, and promote its success.

But whilst the Lieutenant-Governor will most readily adopt every measure by which conciliation may possibly be effected; and whilst he calls upon every Colonist to enjoin the utmost tenderness, on the part of his servants, towards the Natives, when they fall into their power, and invariably to spare the women and children; he feels it his duty to declare, that he is convinced an end will only be put to the present harrassing and lengthened warfare with these wretched savages by increased vigilance and activity on the part of the settlers, in furtherance of the measures adopted by the Government. No opportunity should be lost to draw any tribe into terms of conciliation; and no effort should be spared to expel those who will not be conciliated from the settled districts, where they still continue to practise the utmost perfidy and inhumanity, for the purpose of accomplishing the destruction of the white inhabitants, or to plunder the habitations.

By his Excellency's command.

(signed) *J. Burnett.*

26.—Government Order, No. 2.

Colonial Secretary's Office, February 25, 1830.

IN the Government Order of the 19th instant, the Lieutenant-Governor announced his concern at the continued atrocities of the Aboriginal Natives, and anxiously hoping that one instance of moderation which had been manifested by these savages might lead to others, his Excellency endeavoured to animate the settlers to a hearty co-operation with the government in the adoption of measures tending, either to conciliate these people, or to expel them from the settled districts.

The destruction of Mr. Sherwin's premises in the Clyde District, and the threats and vindictive feeling with which the act was perpetrated, together with several other outrages committed during the past week, demand an instant, simultaneous, and energetic proceeding on the part of the settlers, who, it is to be regretted, have hitherto been too indifferent to the adoption of those obvious measures of protection which are, more or less, within the means of almost every individual.

The parties employed in aid of the police will be augmented; and in order to stimulate them to increased activity, the Lieutenant-Governor has directed, that a reward of 5*l.* shall be given for every adult aboriginal Native, and 2*l.* for every child, who shall be captured, and delivered alive at any one of the police stations.

It surely is not too much to expect that in every district the most respectable inhabitants will forthwith confer together upon the measures most desirable for their common security, and that they will act up to them with vigour and perseverance.

His Excellency will, within a very limited period, make a tour through the districts, to ascertain personally the individual effort which is made to give full effect to the measures which he now expects to be universally adopted.

The repeated orders which have been put forth by this government must convey the idea out of the Colony, that there exists a horde of savages in Van Diemen's Land whose prowess is equal to their revengeful feelings; whereas every settler must be conscious that his foe consists of an inconsiderable number of a very feeble race, not possessing physical strength, and quite undistinguished by personal courage, but who are undoubtedly daily more and more formidable from the success which has hitherto attended their unexpected and sudden attacks upon unarmed persons, and dwellings almost defenceless.

The Lieutenant-Governor feels assured that it is not necessary to repeat the strong injunction which the government has invariably pressed upon the community generally, as well as upon the parties employed more particularly, that every degree of humanity should be exercised towards the aboriginal Natives which is consistent with the overruling necessity of expelling them from the settled districts.

By His Excellency's Command.

(signed) *J. Burnett.*

(Enclosure No. 2.)

REPORT of the Aborigines Committee, 19th March 1830.

Committee Room, Government House, Hobart,
19th March 1830.

THE Committee appointed to inquire into the origin of the hostility displayed by the Black Natives of this Island against the Settlers, and to consider the measures expedient to be adopted with a view of checking the devastation of property and the destruction of human lives occasioned by the state of warfare which has so extensively prevailed, have the honour to report, for His Excellency the Lieutenant-Governor's information, the result of their investigation.

With a view to prepare themselves for recommending any specific measures, no less than to enable His Excellency to judge of their propriety and probable effect, they have sought for information respecting the disposition displayed by the

the Natives from the very first establishment of the Colony, and have endeavoured to obtain a connected view of the origin, progress, and existing character of their hostility. Upon all these points the Committee have collected a considerable mass of evidence, oral and written, which they annex to this Report, and to which they beg to refer, in confirmation of the statements and reasonings herewith presented.

From the testimony of persons who, from long residence in the Colony, are best qualified to afford information, the Committee have collected that many causes of offence, some wanton, and others unintentional, were given to the Natives by the first settlers, and have been from time to time renewed, in opposition to the expressed disposition and desire of the government to protect the former from violence and injustice. There is too much reason to apprehend that, as the white population spread itself more widely over the island, and the settlers came more frequently in contact with the Natives, many outrages were committed which no interposition of the government, however well disposed, could, with the means at its command, have been able to prevent. It would indeed appear that there prevailed at this period too general a forgetfulness of those rights of ordinary compassion to which, as human beings, and as the original occupants of the soil, these defenceless and ignorant people were justly entitled. They were sacrificed in many instances to momentary caprice or anger, as if the life of a savage had been unworthy of the slightest consideration; and they sustained the most unjustifiable treatment in defending themselves against outrages which it was not to be expected that any race of men should submit to without resistance, or endure without imbibing a spirit of hatred and revenge. The Committee allude to those attacks which, it has come to their knowledge, were then frequently made by lawless and desperate characters for the purpose of carrying off the Native women and children; attempts which, if resisted, the aggressors did not scruple to accomplish with circumstances of dreadful and unnecessary barbarity. In exemplification of this assertion, the Committee cannot but mention one fact which, from its atrocity, would have appeared to them perfectly incredible, had it not been confirmed by testimony which they cannot doubt. A person named Carrots, since dead, is known to have boasted, that having killed a Native in his attempt to carry off his wife, he cut off the dead man's head, and obliged the woman to go with him carrying it suspended round her neck. The accuracy of these representations would seem to be most fully confirmed by the language of Proclamations issued by Lieutenant-Governors Davey and Sorell, on the 25th June 1813, and 13th March 1819, respectively, from which the following extracts are given: Lieutenant-Colonel Davey states that "It having been intimated to the Lieutenant-Governor that a very marked and decided hostility has lately been evinced by the Natives in the neighbourhood of the Coal River, in an attack they made upon the herds grazing in that district, he has felt it his duty to inquire into the probable causes which may have induced them to adopt their offensive line of conduct, and it is not without the most extreme concern he has learnt that the resentment of these poor uncultivated beings has been justly excited by a most barbarous and inhuman mode of proceeding acted upon towards them, viz. the robbery of their children! Had not the Lieutenant-Governor the most positive and distinct proofs of such barbarous crimes having been committed, he could not have believed that a British subject would so ignominiously have stained the honour of his country and of himself; but the facts are too clear, and it therefore becomes the indispensable and bounden duty of the Lieutenant-Governor thus publicly to express his utter indignation and abhorrence thereof."

In the Proclamation of Colonel Sorell, the following passages occur: "The Lieutenant-Governor is aware that many of the settlers and stock-keepers consider the Natives as a hostile people, seeking, without provocation, opportunity to destroy them and their stock; and towards whom any attempts at forbearance or conciliation would be useless. It is however most certain, that if the Natives were intent upon destruction of this kind, and if they were incessantly to watch for opportunities for effecting it, the mischief done by them to the owners of cattle vs heep, which are now dispersed for grazing over so great a part of the interior, would be increased a hundred fold. But so far from any systematic plan for the destruction of the stock or people being pursued by the native tribes, their meetings with the herdsmen appears to be generally incidental, and it is the opinion of the best informed persons, who have been longest in the Settlement, that
the

the former are seldom the assailants; and that when they are, they act under the impression of recent injuries done to some of them by white people. It is undeniable that in many former instances cruelties have been perpetrated repugnant to humanity, and disgraceful to the British character, whilst few attempts can be traced on the part of the Colonists to conciliate the Natives, or to make them sensible that peace and forbearance are the objects desired. The impressions remaining from earlier injuries are kept up by the occasional outrages of miscreants whose scene of crime is so remote as to render detection difficult; and who sometimes wantonly fire at and kill the men, and at others pursue the women, for the purpose of compelling them to abandon their children. This last outrage is perhaps the most certain of all to excite in the sufferers a strong thirst for revenge against all white men, and to incite the Natives to take vengeance indiscriminately, according to the general practice of an uncivilized people, wherever in their migrations they fall in with herds and stockmen."

The Committee, while they lament to revive these imputations, apparently too well founded, against the earlier Colonists, are, however, not prepared to say that the description given by Lieutenant-Governor Sorell of the passive and inoffensive character of the Aborigines, unless when previously attacked, is entirely supported by the evidence before them. It would appear that on the first landing of the settlers in the Derwent, under Lieutenant Bowen, they were permitted for a time to proceed in their operations without any, or at the utmost, with a very slight manifestation of dissatisfaction on the part of the Natives. The first act of decided hostility was committed at Risdon, on the eastern shore of the Derwent, at which place the settlement was under the command of Lieutenant Moore, of the 102d Regiment. This occurrence took place the 3d of May 1804, and the Committee have some difficulty in deciding whether it is to be considered as originating in an aggression by the Natives, calling forth measures of self-defence, or in attack upon them commenced by the settlers and military, under an impression that an attempt was about to be made upon the position, by the unusually augmented number of the Natives who had made their appearance in the neighbourhood. It appears unquestionable that a person named Burke, whose habitation was considerably advanced beyond the rest, was driven from it by the Natives, whose number was estimated at upwards of 500, and much violence was threatened by them towards this man and his wife and dwelling. But it is the opinion of some persons who were then in the Colony, that the displeasure of these people was excited only by finding this hut erected upon ground to which, as being favourably situated for water and hunting, they were in the habit of resorting, and on which they were preparing at this time to hold a general assembly; and that they had no more hostile intention than to remove this obstacle to their proceedings; while it is deposed to by one, who was an eye witness, that they did not proceed even to this extent of aggression. Their having been accompanied by their women and children, whom, when engaged in expeditions of danger, they are known to be in the habit of leaving in a place of security, is a circumstance strongly in favour of the opinion, that they had in view no other than a peaceful purpose, and that they were not the first assailants. But whatever may have been the actual course of previous events, it is indisputable that a most lamentable encounter did at this time ensue, in which the numbers slain, of men, women and children, have been estimated as high as 50; although the Committee, from the experience they have had in the course of this inquiry of the facility with which numbers are magnified, as well as from other statements contradictory of the above, are induced to hope that the estimate is greatly overrated.

Whether or no the resentment occasioned by this encounter has been ever since maintained, and has continued to influence the Natives in their feelings towards the white population, it is impossible with perfect certainty to determine. It is however manifestly shown, that an intercourse with them on the part of insulated or unprotected individuals or families has never been perfectly secure. Although they might receive with apparent favour and confidence such persons as landed, from time to time, on various parts of the coast, or fell in with them in other remote situations, yet no sooner was the store of presents exhausted, or the interview from other causes concluded, than there was a risk of the Natives making an attack upon those very persons from whom they had the instant before been receiving acts of kindness, and against whom they had up to that moment suffered no indication of hostility to betray itself. There have been, until the

occurrence of the late outrages, and their consequent total estrangement, repeated instances of the Natives exhibiting such confidence as, without any hesitation, to approach the dwellings of the settlers, and to partake of such refreshments as were then very generally offered to them, and this friendly intercourse having sometimes continued for several days, was usually terminated by their departing to their own districts in a regular and peaceable manner, so long as they were held in restraint by the presence of a sufficient number of observers: but it is within the knowledge of many members of the Committee, and has been confirmed by other statements, that even at this period there was, beyond all doubt, in the disposition of the Aborigines, a lurking spirit of cruelty and mischievous craft, as, upon very many occasions, and even on their retirement from houses where, as above stated, they had been kindly received and entertained, they have been known to put to death, with the utmost wantonness and inhumanity, stock and hut-keepers whom they fell in with in retired stations at a distance from protection, and who, there is every reason to believe, had never given them the slightest provocation. The opinion of the Committee is most decided, that these acts of violence on the part of the Natives are generally to be regarded, not as retaliating for any wrongs which they conceived themselves collectively or individually to have endured, but as proceeding from a wanton and savage spirit inherent in them, and impelling them to mischief and cruelty when it appeared probable that they might be perpetrated with impunity: at the same time they have no hesitation in tracing to the manifold insults and injuries which these unhappy people have sustained from the dissolute and abandoned characters whom they have unfortunately encountered, the universal and permanent excitement of that spirit which now prevails, and which leads them to wreak indiscriminate vengeance, as often as they find opportunity, on the persons and property of the white population.

On turning their attention from the proceedings of individuals to those of the government, the Committee derive the utmost satisfaction from discovering that, on the part of the latter, an uniform anxiety has prevailed to protect the Natives, and to secure for them the treatment which justice and humanity require. In evidence of this feeling they have already referred to the proclamations of Lieutenant-Governors Davey and Sorell, in 1813 and 1819, and they have before them other documents, of still earlier date, having the same object in view. So early as the 29th January 1810, a General Order was issued by Lieutenant-Colonel Collins, declaring, "that any person who should offer violence to a Native, or should in cool blood murder, or cause any of them to be murdered, should, on proof being made of the same, be dealt with and proceeded against as if such violence had been offered to, or murder committed on, a civilized person." With the proclamation of Colonel Davey already noticed, publicity was given to an "Extract of a Letter from Lord Hobart to Lieutenant-Governor Collins," in the following terms: "You are to endeavour by every means in your power to open an intercourse with the Natives, and to conciliate their good will, enjoining all persons under your government to live in amity and kindness with them; and if any person shall exercise any acts of violence against them, or shall wantonly give them any interruption in the exercise of their several occupations, you are to cause such offender to be brought to punishment according to the degree of the offence." In evidence of the continuance of this feeling the Committee may also refer to a Proclamation of Lieutenant-Governor Sorell, dated 19th May 1817; herein it is stated that, "Whereas several settlers and others are in the habit of maliciously and wantonly firing at and destroying the defenceless Natives or Aborigines of this island; and whereas it has been commanded by his Excellency the Governor-in-Chief that the Natives should be considered as under the British government and protection, these instructions render it no less the duty than it is the disposition of the Lieutenant-Governor to forbid and prevent, and when perpetrated, to punish, any ill-treatment of the native people of this island, and to support and encourage all measures which may tend to conciliate and civilize them."

There is some ground for believing that these humane precautions were not wholly inefficacious in procuring at least a partial return of confidence on the part of the Natives, as in the Hobart Town Gazettee of the 18th April, in the following year, the Committee find it stated that, "notwithstanding the hostility which has so long prevailed in the breasts of the Natives of this island towards Europeans, we now perceive, with heartfelt satisfaction, that hatred, in some measure, gradually

gradually subsiding. Several of them are to be seen about this town and its neighbourhood, who obtain subsistence from the charitable and well-disposed." In other directions there is, however, too much reason to fear that the former system of injury and destruction was still pursued, as the Committee find that his Excellency the present Lieutenant-Governor considered it necessary to republish, on the 23d June 1824, the Proclamation of his predecessor, bearing date May 1817, to which attention has been above directed. Proceeding in the course of events, the Committee find recorded a "Government and General Order," dated the 4th November 1824, importing that "a body of Natives having come into Hobart Town, the Lieutenant-Governor requests that the utmost kindness may be manifested towards them until some arrangements can be made by the government for providing for their accommodation, and removing them to some proper establishment."

This tribe was subsequently removed to Kangaroo Point, where they experienced a continuance of the humane attention recommended in the Government Order, and, being under no restraint, they were in the habit of departing and returning as often as their own convenience dictated, or they were desirous of obtaining fresh supplies of food and clothing, with which they were liberally furnished. This satisfactory intercourse appears to have subsisted during a period of two years, but not to have had the effect of inducing the black inhabitants, in any considerable numbers beyond those who originally came in, to associate and domesticate themselves among the settlers. It is even to be feared, from the nature of the events which led to the termination of the intercourse here described, that such a display of kindness had failed to inspire them with any sentiment of attachment or of forbearance from their inveterate habits of treachery and mischief.

A barbarous murder was committed near Oyster Bay, of which two of the tribe frequenting Kangaroo Point were ascertained to be the perpetrators. On their next return to that spot they were arrested on this charge, and, after conviction on the clearest evidence before the Supreme Court, were executed on the 16th September 1826. After this occurrence the Natives came no more to the usual place of resort. They have resisted every subsequent attempt on the part of Government or of individuals to enter into intercourse or explanation with them, and from that period the frequency of their attacks on white persons and their property has been gradually increasing. It is, however, necessary to remark, that whatever influence resentment arising from the execution of the above offenders may have had in exciting them to such acts of violence, there were other causes in operation contributing to produce this result, especially the outrages of the bush-rangers who were then at large in the country.

The Committee beg leave, in proof of the truth of this remark, to refer to a single instance, that of the notorious "Dunne," who, after a long course of atrocity, was captured about the middle of October 1826, and suffered the penalty of his crimes. A few days previous to his seizure this man made his appearance at the hut of Mr. Thomson, on the further bank of the Shannon, bringing with him a black native woman, whom he acknowledged he had stolen from her tribe, and whom in that hut he treated with violence which she endeavoured ineffectually to escape. After this "Dunne" swam across the river Ouse, and landing on the opposite bank, found himself in the midst of that tribe of Natives from whom the woman had been carried off. During several hours he withstood their attacks, and finally succeeded in escaping. But their revenge was not to be thus disappointed; on the day following that on which this atrocious act had been committed by "Dunne," and within a few miles of the spot, two men driving a cart were attacked in a secluded wood near the Clyde by a party of Natives, headed by a half-civilized black who had been some time at the settlement at Macquarrie Harbour. One of the men, William Tidwell, was pierced by a spear through his thigh, and perished. The same party afterwards attacked the hut of Mr. Nicholas; and subsequently that of Mr. Thomson before-mentioned, where James Scott was killed. The Committee particularly allude to this catastrophe in consequence of the evidence received before the Coroner, Thomas Anstey, Esq. on view of the body of Scott, plainly developing the connexion between this act of violence on the part of the Natives and the previous outrage of "Dunne." Mr. Thomson's servant deposed—"Some few weeks ago 'Dunne,' the bush-ranger, brought a native woman to our hut; he brought her by force. *The same woman was with*

the tribe of Natives when they attacked and plundered our hut, and she was with the party who threatened us with death on the following day, about which time Scott was killed."—(See Hobart Town Gazettes, October 14th, 21st, and November 18th, 1826.)

Having brought down to this period the detail of occurrences, and stated such as, in their opinion, are calculated to account for the enmity display by the black against the white population, the Committee deem it expedient to exhibit a brief compendium of the measures which have been adopted by the Government subsequently to the date last mentioned. Their purpose is thereby to furnish means of judging in what degree those measures have accomplished the intended purpose; and of further considering what proceedings may be now expedient and necessary for the tranquillization of the Colony.

On the 29th November 1826, a Government Notice was issued, wherein, after reference to the series of outrages perpetrated by the Aborigines, and a statement of his Excellency's uniform anxiety to inculcate a spirit of forbearance towards them, it was promulgated.

1st "That in the event of a felony being committed, or of an apparent determination existing on the part of the native tribes to attack, rob or murder the white inhabitants, any persons might arm, and, joining the military, contribute to drive them by force to a safe distance."

2d. "That they might be apprehended, and if resistance were offered, force might be resorted to for that purpose, by any persons acting under the direction of a magistrate or peace-officer, in cases of their assembling in such manner as to excite fear, or betraying an intention to do any harm short of felony to the person or property of any one."

3d. "That if any Natives should have actually committed felonies, the magistrates should use all exertions to discover and apprehend, on their warrant, the principals concerned therein, and that the officer executing the same might employ force if the offenders could not otherwise be taken, or if acts of violence or intimidation were resorted to by them or on their behalf."

4th. "That any person having actually witnessed the commission of a felony might raise the neighbourhood, and pursue and seize the offenders by all such means as a constable might use."

On the 29th November 1827, a second Government Notice appeared, which refers to the renewal of aggressions by the Aborigines against the stock-keepers and other white inhabitants, and directs the magistrates to act with vigour upon the principles laid down in the Order of the preceding year, of which the substance has been just detailed. At the same time the Lieutenant-Governor stated that sufficient troops to give confidence to the inhabitants would be at the disposal of the civil power in every district, but expressed his wish to have it understood that his own confidence chiefly reposed in the adoption of vigorous measures by the magistrates and constables, who were expected to "unite every degree of prudence and humanity with the energy and decision so necessary on this distressing occasion." On the 15th April 1828, a Proclamation was issued for the protection of the Aboriginal Natives against the attacks of aggression, violence and cruelty committed on them by the stock-keepers and others His Majesty's subjects, and for the purpose of causing the Natives to retire from the settled districts of the island in consideration of their continuing to perpetrate frequent unprovoked outrages on the persons and property of the settlers, and to commit repeated wanton and barbarous murders and other crimes. Herein it is further represented that "the Aborigines have, during a considerable period of time, evinced and are daily evincing a growing spirit of hatred, outrage and enmity against the subjects of His Majesty, and are putting in practice modes of hostility, indicating gradual, though slow, advances in art, system and method, and utterly inconsistent with the peaceable pursuits of civilized society, the most necessary arts of human subsistence, and the secure enjoyment of human life."

In order, therefore, to prevent, as far as possible, collisions which were attended with consequences so fatal, the Proclamation now in question established a line of military posts along the confines of the settled districts, within which the Natives were forbidden to penetrate. All practicable methods were directed to be employed to make known to them the provisions of the Proclamation, in furtherance of which object, a letter from the Major of Brigade, dated 21st April 1828, informed the officers commanding detachments that the Colonel Commanding would

would authorize them to offer any reasonable reward to persons who should succeed in becoming the channel of such communications.

All these measures of forbearance having however failed to produce the desired effect, and acts of murder and devastation being continually on the increase, a Proclamation declaring martial law against the Natives was issued on the 1st November 1828, excepting from its operation only certain specified districts. The actual use of arms was at the same time strictly prohibited in all cases wherein the Natives could be induced by other means to retire beyond the prescribed limits, and the proclamation was conveyed to the police magistrates, accompanied by a letter from his Excellency the Lieutenant-Governor, wherein it was stated, that "the Government puts forth its strength on this occasion by no means whatever with the view of seeking the destruction of the Aborigines; on the contrary, it is hoped, by energetic and decisive measures, and by punishing the leaders in the atrocities which have been perpetrated, that an end may be put to the lawless and cruel warfare which is now carrying on, and which must terminate in the total annihilation of the Natives."

The observance of these principles of action has been repeatedly inculcated since that period, and up to the present moment, by circular letters addressed to the police magistrates, and by garrison orders; but in consequence of the covert and crafty mode adopted by the Natives in making their approaches and attacks, and their almost inconceivable adroitness in effecting their escape, no progress whatever has been made in repressing their outrages or apprehending their persons.

The suggestion formerly thrown out in the proclamation of Lieutenant-Governor Sorell, as to the more extended mischief which the Natives would be capable of inflicting were they incessantly to act upon a systematic plan of attacking the settlers and their possessions, has been but too completely verified by the events of the last two years, and still more fatally by those of the few months which have just elapsed. It is manifest that they have lost the sense of the superiority of white men, and the dread of the effects of fire-arms, which they formerly entertained, and have of late conducted their plans of aggression with such resolution as they were not heretofore thought to possess, and with a caution and artifice which renders it almost impossible to foresee or defeat their purposes.

They continue to occupy and ravage, beyond the reach of control, and in defiance of the orders and efforts of Government, those settled districts which they were prohibited from entering. Since the commencement of the present year an unparalleled series of devastation has marked their passage through the country, as the annexed list of atrocities, perpetrated by them within the three last months, will abundantly testify.

List of atrocities committed by the Natives during the last three months.

1st January 1830.—William Smith, in the employ of Mr. Triffet, jun., killed near the River Ouse.

Piper's hut, at Bark-but Plains, broken open and plundered of a musquet, blankets, sugar, &c.

Captain Clark's hut, at Bark-but Plains, robbed, and his house entered by the Natives.

9th February 1830.—Mr. Mazetti's hut robbed.

Lawrence Dering, servant to Mr. Bell, killed.

11th February 1830.—Mr. Bett's house and servants attacked on Great Jordan Lagoon; the Natives kept at bay from the house, but one man received a spear through the thigh.

Mr. Hopley murdered about a mile from Mr. Bett's.

James M'Carthy desperately wounded.

12th February 1830.—Mr. Howell's dwelling-hut burned; Mrs. Howell and her children narrowly escaping the flames.

Twenty of Mr. Espie's sheep killed and maimed.

Mr. Thomson's hut attacked by 40 or 50.

Mr. Patterson's shepherd pursued by the Natives.

17th February 1830.—John Blackaby and Philip Norboy killed in Dysart Parish, Oatlands, at noon day.

Lawrence Murray, servant to Mr. Bell, killed.

A child killed at Bagdad near the road side.

20th February 1830.—Mr. M'Kae's house, near Bothwell, plundered of flour, and within a mile of the military station at Bothwell.

Mr. Sherwin's house, burned to the ground, with the greater part of his property; his servant's hut and fences also consumed.

The Weazel Plains hut burned down; a black man wounded in the act of setting fire to it.

22d February 1830.—Captain Clark's barn and corn stacks consumed, containing 1,200 bushels of grain.

2d March 1830.—A hut near Captain Clark's fired.

A hut at Davis' Marsh plundered.

10th March 1830.—Piper's hut fired and partly destroyed.

11th March 1830.—Captain Wood's hut at Poole's Marsh robbed.

Mr. Jones' hut, Side-line Marsh, threatened.

Mr. Bisdee's hut attacked; also Mr. Thomson's stock-hut, and Mr. Broadribb's, at the Black Marsh.

Mr. Denholme's hut, at the same place, attacked, and his servant speared.

13th March 1830.—M'Ginnis' hut, Richmond District, plundered of musquets, powder and ball, and every thing of value in the house.

15th March 1830.—A hut near the mouth of the Carlton River attacked; a man and woman dangerously wounded, the latter four spear wounds, and a cut on the head, supposed mortal.

Another woman speared through the arm.

The following were omitted to be inserted above.

1st February 1830.—Mr. Broadie's hut, near the Upper Clyde, was attacked while he was in it; he was speared in several parts of his body, but not mortally. They stole blankets, tea, sugar, &c.

9th March 1830.—A mob of natives appeared at Captain Smith's hut, at his run; a part of them attempted to rob the hut, and another mob of them killed 100 of his sheep.

After a careful comparison of the several statements they have received, the Committee have no hesitation in expressing their persuasion that a sentiment of alarm pervades the minds of the settlers throughout the Island, and that the total ruin of every establishment is but too certainly to be apprehended, unless immediate means can be devised for suppressing the system of aggression under which so many are at this time suffering, and of which all are in dread that they may themselves become the victims. It cannot be necessary to offer any additional observation to prove that the measures hitherto resorted to, though apparently the most judicious that could be devised, have not been attended with success. The urgency of the case, and the hazard to which the safety of individuals and the public peace continue to be exposed, render it imperative on the Committee to afford the government the aid of their best ability, and, at least, to attempt the suggestion of some more effectual mode of preservation and resistance. They cannot, however, enter upon this province of their labours, without expressing their entire and hearty concurrence in the sentiments of humanity and forbearance towards these wretched people so constantly enforced by his Excellency the present Lieutenant-Governor, and his predecessors, in all the public documents which have been issued in connexion with this subject. The feelings of His Majesty's Government and of the British Nation, they cannot doubt, are altogether in accordance with these views. For themselves as men, as Englishmen, and as Christians, the Committee are sensibly persuaded that every degree of moderation and forbearance is due to an ignorant, debased and unreflecting race, who, it is impossible to doubt, were first excited to general aggression and systematic barbarity by the wrongs

wrongs which they themselves experienced on the part of miscreants who were a disgrace to our name and nation, and even to human nature. It is, as they conceive, a plain and most imperative duty, a duty which they would on no account take upon themselves the responsibility of violating, or of recommending others to violate, that no act of increased severity should be resorted to against the Natives, without first having recourse to every conceivable and practicable method of making known to them that intention, and of forewarning them of the dangers and punishment to which they will expose themselves by persevering in their present hostility. On the other hand, the Committee are bound to consider that the Natives are now visiting the injuries they have received, not on the actual offenders, but on a different and totally innocent class; and they acknowledge the force of the obligation to attend to the interests of that very numerous portion of their fellow-subjects. In the Proclamation of the 15th April 1828 it was stated, with equal force and justice, that "the security and safety of all who have entrusted themselves to this country on the faith of British protection are imperatively required by the plainest principles of justice."

These views the Committee would therefore carry into effect by respectfully recommending to His Excellency the Lieutenant-Governor the adoption of certain specific measures which they will now proceed to enumerate. They are perfectly aware that such arrangements as they have to propose cannot be effected without a very considerable increase of expenditure; but they are unavoidably compelled to overlook this consideration from a sense that increased exertions are necessary for the security of those who naturally, and with justice, look up to the government for support and protection. They consider it moreover a proceeding of manifestly good policy to make a temporary sacrifice for the sake of preserving the whole property of the Colony from destruction, and to abate that waste of lives which has of late been so rapidly on the increase.

The most obvious suggestion certainly is that the first arrangements for precaution and defence should proceed from the settlers themselves; and the first step to be taken with this view is, that every head of a family, with every male of competent age, at least of those who are free, should be well provided with arms, and act on all occasions with a watchful regard to the security of their dwellings and possessions. It has been clearly shown, by repeated instances, that the Natives have by artifice decoyed persons to quit their houses for the purposes of pursuit, who, on their return, have found their homes utterly destroyed by fire, and every thing of value carried off.

It is impossible for the Committee to suggest, or for the government to prescribe, all the measures of self-defence which in the event of an attack it may be necessary to adopt, but it is their unanimous persuasion that all settlers should, with their families and dependants, make the defence of their own habitation the chief object of their concern; and should, by no inducement, be persuaded ever to leave it without a competent guard. This line of conduct appears to be the only one effectual for defence; for it is justly observed by one of the gentlemen who has favoured the Committee with an answer to their inquiries, that "a house left without protection becomes an easy prey to these insidious depredators, who will for days and weeks watch a house that they have marked out for plunder till they find the whole of the males absent; they then pounce upon the dwelling, and with a celerity incredible plunder it of every article they consider valuable."

On the other hand, the Committee are persuaded, by instances which have occurred even within the last few days, that these attacks are easily repelled where parties are on their guard, and show a determination to resist force by force; and they are persuaded that nothing would so effectually deter the Natives from hostile attempts on dwelling-houses as the certainty that they would encounter resistance, and a few instances of their incurring a severe chastisement in retaliation for their predatory attacks.

1st Recommendation of the Committee.

These suggestions the settlers have been most strongly exhorted to attend to; they might certainly have been more watchful, and have been ere this better armed; at the same time it is to be borne in mind, that the means of many of them are very limited, and that the labour of every servant they have is urgently required upon their farms, and that they are ill-able to support them simply as a domestic police. It appears from a variety of evidence that servants working in the barn, only a few yards distant from the dwelling-house, have been insufficient to secure it from depredation.

2d Recommendation.

The Government Orders and Notices have been most pressing upon this point; and the fact is, that now, although the convict stock-keepers may be equally disposed to act with barbarity, yet their fears now prevail upon them to fly every where as soon as the Natives are seen.

3d Recommendation.

Since this Report was presented the Lieutenant-Governor has personally made the most particular inquiry upon this point, and has ascertained that the prohibition against all convict servants keeping dogs has been most effectual in its operation, and the Kangaroo actually abounds in the districts most frequented by the Natives.

The Act of Council also which has recently been passed to prevent the increase of dogs in the Colony must have a very salutary effect.

4th Recommendation.

This has always been the case with the exception of the roving parties, which, to ensure some uniformity in their proceedings, were placed under the particular direction of the police magistrate in the Central District, Mr. Anstey, from whom they received their instructions to proceed according to the information obtained. If this force be augmented so as to afford parties for each district, of course they will be better placed under the orders of the police magistrates severally.

5th Recommendation.

The Mounted Police is a very expensive force, and certainly should not be augmented without great caution. A small augmentation to convey intelligence quickly I should deem sufficient.

6th Recommendation.

The Field Police is composed of prisoners of the Crown whose conduct merits consideration and indulgence, and every measure has been adopted to render it complete and effective; at the same time, by the admission into this band of any men of bad character the Government would only be getting rid of one present trouble by letting in another. With every care in making the selection, it is however most desirable to augment the Field Police during the present exigency.

7th Recommendation.

With respect to the military, they are of course already under the orders of their own officers, and it may perhaps be desirable to make some small allowance of tea and sugar to the soldiers in lieu of their ration of rum, of which they are necessarily deprived whilst actually serving in the bush. No marching-money being allowed in the Colony, a double ration of bread and meat was formerly given to the soldiers when employed after the bush-rangers, which satisfied the poor settlers who supplied them, and who always complained that the regulated ration of bread and meat never compensated

In the next place the Committee consider it their duty to recommend to every settler to point out to his stock-keepers and assigned servants the fatal consequences which have resulted to the entire community from the base and barbarous conduct which some of their class have pursued towards the Natives. How little surprising it is that the latter should proceed to measures of retaliation; and how much it behoves them to desist from a repetition of such disgraceful conduct, from a regard even to their own safety, seeing that not one of those barbarians by whom the Natives were thus irritated has ultimately escaped the effects of their vengeance.

With these efforts it would be proper that the government should co-operate, by renewing, and with augmented strictness, the prohibition to destroy Kangaroos, by hunting, shooting, or other means, within the limits prescribed to the Natives. So great is the injustice of this proceeding on the part of the whites, and so apparent the injury suffered by the Natives through the destruction of this their principal source of sustenance, that the Committee would deem it expedient, if other modes of prevention fail, to make this a legal offence, to be visited with very severe penalties. The unassisted efforts of the settlers

must, however, it is evident, be insufficient even to defend their own dwellings. Other and more active measures, such as the Government alone can institute or support, must be called for. It is therefore recommended that the chief direction of all operations in every district shall be entrusted to the police magistrate. That to every station

a number of Mounted Police should be attached, whose employment would be to convey intimation of the movements of the Natives to those parts of the district which should appear to be most threatened, and afford the settlers time to prepare for the defence of their houses.

That the Field Police should be increased to the utmost practicable limit, and that sufficient inducements should be held out to prevail on persons of much superior qualifications to those who have hitherto acted in that capacity to serve as leaders; and that the whole be regularly clothed and equipped, and placed under a system of discipline appropriate to the service in which they are to be employed. Lastly, that the military should be

engaged in aid of the civil power, so far as the very inadequate force now in the Colony will permit.

The Committee are aware that the efforts of Government have never been wanting in supplying the greatest possible amount of disposable force to the disturbed districts.

It is however worthy of consideration, whether, by some additional encouragement, the efficiency of that force may not be increased. The Committee would suggest that an augmentation of allowances should be granted to the soldiery while engaged in this service; and that, to secure their

their efficiency and discipline, they should be under the command of their own officers, who should also receive a proportionate increase of pay at the expense of the

Colony. With respect to the mode in which the descriptions of force here spoken of may be most advantageously employed, the Committee do not consider themselves qualified to offer an opinion, excepting so far as to point out some of the defects in the system of the roving parties which have hitherto been employed. To the propriety of engaging leaders of higher qualifications attention has been already directed. It is, besides, the persuasion of the Committee, that notwithstanding the exertions of that highly respected individual who has had the superintendence of these parties, an error has been committed by them in extending their march over too wide an extent of country, whereby the Natives have been either chased before them, and a useless state of alarm has been kept up, or they have passed the Natives unperceived, and have left them unmolested to ravage the country in their rear. It has also been proved that great want of caution has been shown in their mode of march, in carelessly running backward and forward, talking, shouting, smoking, and suffering other indications of their approach to alarm the keen senses of the Natives, and to warn them to fly. The Committee are fully persuaded that such parties, conducted upon these principles, are worse than useless, and they therefore recommend that, instead of traversing the country as heretofore, without system or mutual co-operation, each band should have a particular portion of the district assigned to it, which it should continually traverse in the manner of a patrol, and endeavour to obtain the most intimate acquaintance with the tracks which the Natives pursue in their migrations, and the haunts (for such there are known to be) which they by preference frequent. The men under whose command they are, must also be such as possess sufficient prudence and authority to repress all those imprudent modes of proceeding above detailed, which necessarily give alarm to the Natives, and preclude the possibility of coming upon them by surprise. The only additional suggestion which the Committee beg leave to offer, is, that magazines of provision might be established in central situations, from which the police and military parties might receive their supplies without the necessity of quitting their stations, or interrupting their pursuit.

In recommending these measures, the Committee are animated by a desire not to occasion, but to prevent the effusion of blood; they are desirous that the use of arms should be resorted to only for the purpose of repelling an attack, or danger to life and property, and that the main effort should be directed to capture the Natives alive and unhurt.

For the encouragement of this measure, they acknowledge the propriety, and recommend a continuance of the system adopted by Government, of offering a reward to any free person, military or civil, by whom any such capture shall be effected; and they presume that a ticket of leave, or other appropriate indulgence, would not be withheld from a prisoner who should succeed in the same object. They are persuaded that if the patrolling parties are sufficiently numerous and persevering, the Natives must either be deterred from venturing into districts so occupied, or by due vigilance in watching their movements, and caution in approaching hem, must be fallen in with and captured.

In effecting this, the design of the Committee is to attain the means of opening, if possible, a communication with the hostile tribes, and of convincing them generally that the white population have no other desire than the maintenance

pensated for the breakfast and dinner consumed by the soldiers.

A small Colonial allowance of 5 s. per diem to the officers employed on this arduous and fatiguing duty would be perhaps reasonable, as they receive no Colonial allowance whatever.

8th Recommendation.

With respect to the roving parties, the observations made by the Committee are, I believe, upon the whole, accurate. A better class of leaders is certainly much required; but the difficulty of getting persons of any respectability who will, day after day, and night after night, expose themselves in traversing the woods, is extreme. However, experience renders it evident that something of this kind must be attempted.

The Committee is right in the observation that these parties have hitherto been too much on the move; but, in justification of the police magistrate who has had the chief direction of them, it is but due to observe, that when the parties have been kept in motion they have been censured for their indiscretion, and when they have halted they have been accused of inactivity.

The fact is, measures which do not succeed are always condemned.

9th Recommendation.

This measure has already been carried into effect.

nance of peace. In pursuance of this object they have forwarded to his Excellency their recommendation that the Native women lately captured, and who have been treated with kindness and indulgence, of which they appeared very sensible, should be sent back to their tribe. To this destination they have been forwarded with a suitable safeguard, and the opinion of the Committee is, that, as opportunities present themselves, the same course should be pursued with respect to any Natives, male or female, who may in future be taken prisoners, until it shall evidently appear that this mode of acting has its effect in subduing their feeling of hostility, or that they are utterly beyond the reach of conciliation.

It is much to be desired that, while under a state of restraint, the Natives should be accessible only to persons who have the sanction of the government, as experience shows that, from indiscriminate intercourse, they are liable to imbibe impressions from ill-disposed and improper characters, which render them, on their return to their countrymen, more formidable enemies than those who have never had any intercourse with Europeans.

The Committee can scarcely imagine that these recommendations will be considered as severe, or otherwise than, as they in their consciences believe them to be, measures of humane and necessary precaution.

To guard against misconception, they, however, deem it necessary to observe, that there are circumstances existing which would render it criminal to withhold protection from the settlers, and which in some degree deprive the Natives of their claim to an entire forbearance from coercion. These are, first, that the latter have resorted so systematically to the use of fire for the destruction of property as to render their approach to a dwelling-house, without any other indication of hostility, extremely hazardous; and, secondly, that they are now not acting the part of injured men, seeking to avenge the wrong they have sustained, but rather that of marauders stimulated by eagerness for plunder, and the desire of artificial luxuries, the use of which has now become familiar to them. If, on the other hand, there should be any who conceive that the aggressions lately sustained by the settlers would justify a more severe exertion of force against the Natives than is here proposed, the Committee would entreat them again to consider the circumstances in which the present unhappy posture of affairs originated. They are persuaded that under all provocation, and in opposition to any appearance of immediate advantage, the wisest policy will always be found to be that which has justice for its basis. They are sensible that the Natives had originally many causes for complaint, and many sources of provocation, from the treatment they experienced, and, excepting so far as may be necessary for the actual defence of life and property, they desire for themselves and for their country to be pure from the blood of all men. The debt which they have incurred in taking possession of this country they would willingly acquit themselves of by every justifiable degree of forbearance and moderation towards the Native inhabitants, and by leading them, if opportunity should be afforded, into the paths of civilization.

In conclusion, they venture to express a hope, that the experience of present transactions may be even rendered useful in the history of the world; and that in all future attempts at colonization, it may be steadily borne in mind, how strict an obligation exists to exercise mercy and justice towards the unprotected savage, and how severe a retribution the neglect of those duties, even by individuals, may ultimately entail upon an entire, an unoffending, community.

On behalf of the Committee,

W. G. Broughton, Archdeacon,
Chairman.

To his Excellency Lieutenant-Governor Arthur,
&c. &c. &c.

(Enclosure No. 3.)

MINUTES of EVIDENCE taken before the COMMITTEE for the
AFFAIRS of the ABORIGINES.

23d February 1830.

Mr. *Sherwin*, Sen.

HAS been in the country seven years ; was attacked six months ago by 40 or 50 of the Natives.

Conceives they must be captured or exterminated ; those who attacked him were the Abyssinian mob, as is believed ; they were young men ; saw only four or five of them ; conceives their object was plunder ; does not know of any atrocities committed by the whites upon the black native people ; believes they have been exaggerated ; his house was burnt ; saved only a small part of his property ; the thatch of his house was set fire to ; believes the Natives wish to have their lands to themselves ; if something be not speedily done, no one can live in the bush.

Sydney natives, or blood hounds, would contribute to the capture of the Natives in this colony ; has heard it proposed that decoy huts, containing flour and sugar, strongly impregnated with poison, should be used ; believes that beyond the Big River there are places where 200 or 300 Natives may be constantly seen at a time.

Mr. *George Espie*.

HAD a number of sheep killed at Boston Plains six months ago, near the Big River ; very little land located in that neighbourhood ; his stock hut was the highest up the river ; none of the sheep killed by the Natives were eaten ; spears were left in some of them ; kangaroo and opossums destroy pease and wheat ; would have 150 prisoners sent after the Natives, who should be rewarded by a conditional pardon for every two or three they captured ; such prisoners to be strongly recommended before they were armed ; soldiers and constables to go with those convicts ; believes they would shoot more than they would capture ; Natives are very selfish ; has no notion they can be conciliated ; if they were brought in they would be worse afterwards ; they are very treacherous ; their outrages are daily increasing, and every outrage increases their audacity.

Mr. *John Brodie*, of Bothwell.

WAS alone in a hut at Mead's Bottom, on the 4th of February ; two Natives speared him without saying a word ; they took away flour, sugar, a shirt and blankets ; the Natives will not take bad blankets ; conceives plunder their primary object ; they will have flour, sugar, and good blankets ; six Natives were seen in the neighbourhood two months before that ; they robbed the huts on both sides the river ; besides other things, they always took knives and razors. The Blue Hills, five miles from his house, is a station where Natives are generally seen ; 30 were seen there together last summer ; the assigned servants have become very much afraid of the Natives.

3d March.

Mr. *Gilbert Robertson*.

THE condition of service of the men under his orders was simply a ticket of leave after twelve months ; has no complaint against any of those men ; did not capture any Native during the last 12 months ; Grant captured one whilst in charge of a detachment of the party ; he learnt so much of their places of resort and habits, that he is certain he was always within one to three days march of them, sometimes in sight of them ; he was within four miles of them for four days near the Blue Hills ; they beat round and round him like a hare ; had Natives with him who had been captured to trace them, whom he could trust ; in July, he was upon the track of from 100 to 200 Natives at the Blue Hills ; supposes there were two tribes, one party going towards Oyster Bay, the other towards the westward ; a party he followed to the westward suddenly disappeared ; does not know by what means they hid their tracks, which he could not discover ; does not

know of any effectual mode of pursuing them by which they can be captured; they cannot be surrounded by several parties coming upon them; they have no rendezvous except where game is plentiful; they go over the whole island; they always keep regular sentries, and pass over the most dangerous grounds, and by the brinks of the most dangerous precipices; they leave their women and children behind them, and send out parties to commit depredations; he has learnt this from Tom and Dick; the Natives do not move by night; they are afraid of the moon; he killed a good many of their dogs; the Oyster Bay Natives and the Big River Natives are of the same tribe; they are hostile to the northern tribes to which Umarow belongs, he is only a second chief of the Stony Creek tribe; he knows the names of many of the settlers at Norfolk Plains; followed his party from Oyster Bay to Maloney's Sugar Loaf, where he was captured; Umarow's people were asleep in bark huts; they were awoke by their dogs; I fired at Umarow; one of the men also fired at him, and hit him under the ear; one of the soldiers used him very ill after he was down; five were taken there.

There are 500 Native men, women and children in the inhabited districts; very few children. There are no children with the Oyster Bay tribe; their children are with the Big River mob; many of the Oyster Bay mob have been killed by the Port Dalrymple Natives.

The soldiers are quite useless in pursuit of the Natives; they will not exert themselves.

Saw 87 of the Natives on one occasion at his own house at the Coal River; they behaved themselves very peaceably; there were men, women and children.

The breach of faith on the part of the government to Musquito when sent in pursuit of the bushrangers, was the cause of all the subsequent murders. Musquito was driven into the bush by the ill-treatment he received from the prisoners on account of his having taken the bushrangers. I got this information from Tom and others; Musquito complained to me of this and of subsequent ill-usage after he went into the bush; met him after he went into the bush under these feelings, and Musquito treated him kindly; believes Musquito's first murders were committed in self-defence; after Musquito was driven into the bush he used to come begging to his house and make himself very useful; saw him frequently for two years after he was driven into the bush; Musquito must have committed murders within 18 months after he went into the bush; his execution was the cause of subsequent murders; believes horrible outrages were committed at Mr. Horte's; Jack and Dick were supposed to be present; their execution caused subsequent murders; *it is principally from my own conjecture that I have said Musquito's execution caused subsequent murders, and from what Tom has said to me.* Dick's brother, who was executed, is the leader of the tribe which is committing murders at present; the Oyster Bay tribe.

The only means of conciliating the Natives would be by keeping such a one as Umarow, giving him a taste for our comforts, and then permitting him to go into the bush; he would then come back; if you do not let him go he will try to escape. Umarow had heard of the death of Dick. The Natives are inclined to be friendly, but have no confidence in us; Umarow is disposed to pilfer; once when we came to a stock-hut where we saw some flour he urged us to take it; he has committed several murders, although he denies it; believes 20 Natives have been killed for one white man; great ravages were committed by a party of constables and some of the 40th Regiment, sent from Campbell Town; the party consisted of five or six; they got the Natives between two perpendicular rocks, between which there was a sort of shelf on which the Natives got; has heard and does believe that 70 of them were killed by that party; believes five or six men could destroy 70 of the Natives; the party killed them by firing all their ammunition upon them, and then dragging the women and children from the crevices in the rocks, and dashing out their brains; the Natives watch to recover the dead bodies of such as are killed on those occasions, and put them in hollow trees; believes, from Dugdale's account, who was one of the party, that the whole tribe was destroyed. Grant could give some clue to these murders; believes that there was provocation, that two whites had been previously murdered; Morley, as well as Dugdale, was with the party; never heard this great slaughter mentioned by any of the Natives.

Thought well of Samuel Robinson's conduct whilst with the party; but did tell him he should serve three months extra for his certificate, because he subsequently offended him.

The

The Richmond police, three years ago, killed 14 of the Natives, who had got upon a hill, and threw stones down upon them; the police expended all their ammunition, and being afraid to run away, at length charged with the bayonet, and the Natives fled. If the Sydney Natives were sent into the bush, they would return and bring these Natives in, but kill a good many of them first. Ten Sydney Natives would drive all the Natives in the colony before them; I conceive so from what I have seen Musquito do with a bent stick; I have seen him cut off a pigeon's head when flying with one.

Grant is a fit man to head a party.

4th March.

Doctor *Turnbull*.

HEARD about two years ago that Mr. Robertson's hut was robbed, (not far from Campbell Town), by 25 or 30 Natives; it was immediately afterwards reported that 100, 70, 40, 50, and then 17 of them had been killed; did not believe any of them had been killed; no bodies were found; believed the report was utterly ridiculous; the report was first partially believed, but afterwards utterly disbelieved; heard that they were killed in a place like that described by Mr. Gilbert Robertson, said to be at the back of Mr. Hugh Murray's farm at the Western Tier; it was said two parties fired upon the Natives, and killed them by a cross-fire; but that some of them ran off.

Mr. *Robertson* (Merchant).

HAS seen the place where about two years ago the Natives were said to have been attacked; it was a very deep gully, on the east end of which there were precipitous rocks and hills on each side of the gully. I went there the next day after the attack was said to have taken place with the party; they said they had killed seven of the Natives, but appeared disinclined to go into the gully. I told the corporal (40th Regiment) that I would go into the gully; we went, but found no bodies, and he then said, "to tell you the truth, we did not kill any of them, we had been out a long time and had done nothing," and he said it in bravado.

Dugdale and Morley were with the party, but they said nothing; there were the bodies of three dogs laying near three small fires; there was plenty of room for the Natives to have escaped in every direction; there was a thick scrub on the north-east side; this was at the very time there was a rumour that 70 Natives had been killed the day before at that place; I saw no blood in the gully.

I know one Native was killed in self-defence; I was in a hut with two of my men; 40 of them surrounded it; we were armed; they came peeping in at the windows with spears in their hands; we could have killed many of them, or taken them prisoners, but I would not let the men kill them; after being detained so long, one of them was shot, and the rest ran away; it was a detached stock-hut; the Natives had killed a man there two months before whilst he was drawing water at the river; they had never previously been ill-used there; they plundered the hut of flour and blankets; there were no women with the party who surrounded me in the hut; I think they intended to plunder it; I believe if one Native be killed it is immediately reported that 10 have been destroyed.

9th March.

Mr. *James Hobbs*.

CAME to the colony with Colonel Collins; the Natives then showed no hostile feelings; some had been previously evinced between them and Lieutenant Bowen's party; 12 or 18 months after Colonel Collins's arrival, some of the prisoners ran away with a boat to Oyster Bay, where one of them was killed by the Natives whilst hunting; believes the Natives are very treacherous; Musquito and Black Tom, who were hung, had been much with Europeans. Mr. Hobbs was speared whilst riding along the road in Jerusalem in December 1828. Lemon and Brown, the bush-rangers, committed every species of cruelty upon the Natives; they used to stick them, and fire at them as marks whilst alive; knows that Brown reported this; knew Carrotts, who had been a convict; he told him that he had once cut off a Native man's head at Oyster Bay, and made his wife hang it

round her neck, and carry it as a plaything; from Carrotts' manner he credited the story. The sealers in Basses Straits sometimes stole the native women from the Main. At one time the native men would sell a native women for four or five carcasses of seals; saw a dozen native women once at Preservation Island who seemed anxious to get away from the sealers; some of the sealers had three or four black native women, whom they ill-treated; this was known by the tribes, and operated upon their minds; the sealers had told him when they could not purchase women, they shot the men and carried their wives away; most of the sealers are an abandoned ferocious set. Had a servant named Doyle killed five or six years ago by the Natives at the Blue Hills, near the Eastern Marshes; he was wantonly killed and the hut plundered; they burnt his hut four or five times in one year about five years ago; heard there were three or four hundred Natives each time; he sent up provisions quarterly in that year, and soon after they were sent, the hut was always attacked; on one occasion they drove the men away by firing the bush, and the next day it was found that about two acres of potatoes near the hut had been carried away; supposes there were 300 of the Natives; thinks they pass near his hut at the Blue Hills every fortnight; 15 Natives robbed his hut three weeks ago; there were six white men upon the farm, two of them were in the hut with arms when the Natives approached, but they ran away, and left some arms behind them; the men are now very much afraid of the Natives; parties in pursuit can only come upon them in the morning by watching their smokes; they leave their women and children behind when they go upon their plundering excursions; they are more shy and more difficult to come up with than kangaroo; they smell tobacco smoke at a great distance; they fear the devil would take them if they move at night; thinks the Oyster Bay and the Big River tribe are connected. Natives are in no want of kangaroo, although they destroy a great many, 50 or 60 at a time; they first got their dogs from the sealers in the Straits. Natives in Van Diemen's Land are not so brave as those in New South Wales; they are more cruel and treacherous. The Sydney Natives would not be able to bear the cold of our winters, unless they came from the Five Islands or Twofold Bay. Our Natives are not susceptible of civilization; their children, even if taken away when infants, would return to their parents, like wild ducks, when they grew up. Knows no means of protecting the Settlers from the Natives; if they were ever so well used they would turn upon those that fed them; the women visit the stock-huts as spies, and then the men attack them; the men order the women to go and get all they can first, and then they rob the huts; the execution of the two Natives who were last hung did not exasperate the Natives generally; never heard that one Native had been killed in defence of his property; if any of them had been shot they would not have come back so frequently; if a severe example was made of that tribe it would deter them from returning; one of Mr. Fisher's men was killed by them whilst mending a gate on his farm; my nephew and a man of Mr. Betts' were killed whilst going along the road by the Great Lagoon, near Jericho; these outrages were committed by the Oyster Bay tribe; the Natives invariably run away if one man be shot; an instance of this happened at the Coal River, the body was left, but a wounded man was taken away; in an hour after the bush was closely searched by a number of whites, but no traces of the Natives could be found, though when the man was shot the bush appeared alive with them. It was reported about 15 years ago that the Natives killed 300 sheep at Oyster Bay, but did not eat any of them, and that 22 of the Natives were killed next day by part of the 48th Regiment; they move in smaller bodies now than then; they were then more afraid of Europeans than they are now; a Mr. Wood was murdered close to his house by the Natives not very long ago. Once went round the island in a whale boat; saw four or five tribes between Cape Grimm and South-west Cape, and supposed there were a dozen fires to each tribe; Natives to the northward are as hostile as everywhere else; they are decreasing in numbers; they now take less care of the female than of the male children; has heard of the Natives having 300 or 400 dogs with a tribe; 16 large wild dogs were recently left near his hut at the Blue Hills.

There were three dogs chained up at my hut when it was last robbed, and they took no notice of the approach of the Natives, although if a white man had approached they would have given an alarm; they unchained the kangaroo dog, and led him away; I was on horseback when I was speared, and my horse appeared exceedingly agitated.

Mr.

Mr. Gilbert Robertson has never exerted himself in pursuit of the Natives; he has done much mischief in not following them up; he has been more employed in looking for grants of land than the Natives; parties moving in proper places would keep the Natives in check; the tribes talk different languages, but understand each other.

10th March.

Mr. Kelly.

ARRIVED here in 1804; has been a great deal amongst the Natives; found they were generally met by them in a friendly manner, but upon leaving them they would attempt to spear them; such circumstances would generally occur when boats went for wood and water. A small expedition from Sydney under Lieutenant Bowen took post at Risdon; the party had been there about three months, when four or five hundred Natives attacked it suddenly and unprovokedly, who were then fired on; no previous violence had been then offered to them; was not at Risdon himself. Lieutenant-Governor Collins came to Hobart Town while Lieutenant Bowen was at Risdon; the Natives attacked the party at Hobart Town near the hospital, and were fired upon with grape shot; 40 or 50 Natives were killed at Risdon, and three at Hobart Town; the attack at Risdon was the cause of all that happened afterwards; they wished to drive the whites out of the country; they were said to belong to the Oyster Bay tribe; both banks of the Derwent were then thickly inhabited by the Natives; saw 300 of them at Brown's River in 1806, who attempted to cut off a watering party; the sealers have frequently attacked the Natives to get their women; they sometimes bought them; but if they could not get enough that way, they shot the men and brought the women away; the women were not always unwilling to go, and after a time preferred stopping on the islands in the Straits.

Has met the Natives in the bush; they were always friendly at meeting, but treacherous at parting; noticed this whenever he met them; the Natives of New South Wales are not so treacherous as those of Van Diemen's Land; was amongst the latter a great deal in 1815; they frequently received favours from the parties, and then endeavoured to injure them; estimates their number in 1815 at 7,000; conceives the number must still be very great in the uninhabited parts; the most will be found about Cape Grimm, and round the coast to the eastward; tribes on the coast are connected; estimates the present number of the Natives in the island at 5,000; the Natives far to the southward and westward take no part with the Natives in the interior; those on the northern and eastern coasts do take part with the tribes in the interior; the tribes to the southward and westward are a much finer race of men than those to the eastward and northward; some of those in the south, from South Cape to Cape Grimm, have a better description of huts, and wear moccasins when travelling. At Port Davey the Natives enticed a boat to put in; received bread from the crew, and when it was departing threw spears at it, and speared one man; has heard that unprovoked aggressions have been committed by whites upon the Natives; principally by stock-keepers, who endeavoured to get their women, and were resisted by the men. Knows that many aggressions were committed on the north-east coast by sealers, because the men refused to give up their wives without an equivalent. A man named Harrington procured 10 or 15 women, placed them on different islands and left them to procure kangaroo skins for him, and if on his return they had not procured enough, he used to punish them by tying them up to trees for 24 or 36 hours together, flogging them at intervals; some of those women got back to the Natives on the Main. Harrington and others not unfrequently killed the women they procured, in cold blood, if they were stubborn.

11th March.

The Reverend Mr. Bedford.

THE Oyster Bay tribe never came to Kangaroo Point after Dick and Jack were executed; the Natives are grateful for kindness; has been amongst them frequently; is convinced they are so from their behaviour to Mr. Horte when he spoke disrespectfully of Mr. Bedford in their presence.

Mr. Brodribb, Senior.

CONCEIVES that when he first arrived in the Colony, and during the time Colonel Sorell was here, the Natives were more pacifically inclined towards the settlers than now; if they fell in with them then alone and unarmed there would have been some risque of their being murdered, but not so much as now; had been at his house frequently, and were kindly treated; immediately afterwards they have shown a disposition to be mischievous whilst there, and have subsequently robbed his neighbours houses; knows no cause for such conduct; cannot form an idea if the Natives are displeased at our taking possession of their country; is not inclined to think the whites were the first aggressors; fourteen years ago there was a constant communication between the stock-keepers and the female Natives, but that did not excite ill blood in the males; the men would offer to give up their wives for bread; did not feel indignant at the intercourse they permitted; might have felt enraged at the stock-keepers taking their wives by force; the Natives are now more hostile than ever, and have been so for the last two years; they have speared my shepherd and my son when alone and unarmed; before martial law was proclaimed, they had plundered some huts, were pursued and the plunder re-taken; apprehends the plunderers were punished; they have been growing worse than ever in the last year; supposes they are enraged at having been overtaken and punished; is convinced that the majority of the settlers are disposed to treat the Natives kindly, and that the Natives are acquainted with that disposition; the greatest number of Natives he ever saw was at Abyssinia; Rennie's at the Black Marsh; a party in pursuit of the Natives scoured the hills in the neighbourhood of his house in October or November last; the Natives have not been seen there since.

After committing murder, the Natives quickly remove to a great distance; thinks the party that lately burned Howell's hut was the same that was afterwards at the Green Ponds; a man saw some sticks placed in the bush near the Green Ponds, in a track of the Natives, in such a position as denoted, as he supposed, that they had come from the westward; does not believe that all the recent enormities were committed by one tribe; the Natives from the eastward do not go further west than Abyssinia; it would be worth while to embody a number of prisoners, and send them in pursuit of the Natives, holding out tickets of leave as rewards; thinks proper leaders could be found, who might expect remuneration in land; conceives the parties hitherto sent out have not done any good; there are places which are frequented by the Natives, where they might be fallen in with if they were watched; there is one in the Campbell Town district, where the Natives go to obtain flint. The Natives remain more stationary in the winter than in summer; winter is the best season for pursuing them; they are then comparatively inactive; they lay up no stores of provisions, and have been known in winter time to eat kangaroo skins; they wantonly kill sheep, but never eat them; conceives several parties should be sent in pursuit at the same time; the Native women do not accompany small parties; has seen fifty Natives together; conceives Dr. Ross's calculation as to their number was a chance calculation; does not believe it possible for an active party to be in the bush 12 months without falling in with the Natives.

Thomas Anstey, Esquire.

THE recent atrocities must have been committed by two tribes; one from the eastward, the other from the westward; the atrocities committed at the Big Lagoon, Green Ponds, Bagdad, and at Hoopers, must have been done by those from the eastward; there were about 40 Natives, and they were pursued by armed people, in different directions, amounting to about 40 in number; the only traces of the Natives they found was a blanket which had been stolen; believed it was this party that fired Captain Clark's barn.

The Rev. Robert Knopwood.

Lieutenant Moore, of the New South Wales Regiment, commanded at Risdon on the 3d of May 1804. Lieutenant Bowen was at Slopen Island; produced a note from Dr. Mountgarrett; has heard different opinions; that they (the Natives) wanted to encamp on the site of Barke's hut, half a mile from the camp, and

and ill-used his wife; that the hut was not burned or plundered; that the Natives did not attack the camp; that our people went from the camp to attack the the Natives, who remained at Burke's house; does not know how many Natives were killed; supposes five or six; in the years 1813 and 1814 a number of Natives were constantly fed from his door; a number of children were forcibly taken from the Natives, and they disappeared from the camp.

There were no natives killed upon the Hospital-hill at Hobart Town; some shot and skeletons were found there some years after the settlement was formed; the shot were the remains of stores brought from Port Philip, and the bones those of persons who arrived from India, died, and were buried there; the Natives behaved well all the time they came to my house; their number varied from six to twenty-five; they came there constantly for twelve months; the first white man who was murdered by the Natives was George Munday; he was out hunting; I believe at that time if any person had been surprised in the bush unarmed the Natives would have murdered him. Munday had fed the man who speared him; the Native had a spear concealed, and held by his toes, and as Munday turned from him he caught up his spear and threw it at him; this happened in 1807; I arrived in February 1804; we had little intercourse with the Natives until after the attack at Risdon; has frequently been in boats, landed, fed the Natives, and when putting off have been obliged to have muskets presented at the Natives to prevent them from spearing the people, although not the least provocation had been given them; conceives this treacherous and ungrateful disposition prevailed amongst all the Natives; has understood that the Natives cross the country from east to west in the month of March; the generally received opinion was, that the Natives went to Risdon to hold a Corrobberry in May 1804.

Mr. W. T. Stocker.

ARRIVED in 1804; was not at Risdon in May; heard that the Natives came to Risdon to hold a Corrobberry, and that our people went to them; never heard of any attack upon the Natives at the Hospital-hill in Hobart Town.

16th March.

Edward White.

WAS one of the first men who landed 27 years ago; built Lieutenant Bowen's house at Risdon; was then servant to a man named Clark; on the 3d May 1804, was hoeing new ground near a creek; saw 300 of the Natives come down in a circular form, and a flock of kangaroos hemmed in between them; there were men, women and children; "they looked at me with all their eyes," I went down to the creek, and reported them to some soldiers, and then went back to my work; the natives did not threaten me; I was not afraid of them; Clark's house was near where I was at work, and Burke's house near Clark's house; the Natives were never within half a quarter of a mile of Burke's house; the Natives did not attack the soldiers; they would not have molested them; the firing commenced about 11 o'clock; there were a great many of the Natives slaughtered and wounded; I don't know how many; some of their bones were sent in two casks to Port Jackson by Dr. Mountgarrett; they went in the Ocean; a boy was taken from them; this was three or four months after we landed; they never came so close again afterwards; they had no spears with them; only waddies; they were hunting and came down into a bottom; there were hundreds and hundreds of kangaroo about Risdon then, and all over where Hobart Town now stands; the Natives were driven from their houses afterwards, and their wives and children were taken from them by stock-keepers; lived three years as a shepherd in the Western Tier; was always afraid of them; afraid they would kill him; they often fell in with him; never pursued him; they carried spears in the bush; he never carried a gun; the soldiers came down from their own camp to the creek to attack the Natives; I could show all the ground; Mr. Clark was there; the Natives were close to his house; they were not on Burke's side of the creek; never heard that any of them went to Burke's house; is sure they did not know there was a white man in the country when they came down to Risdon.

The Natives leave their women and children behind them when they are going to war ; believes the largest Natives were at Prosser's Plains ; does not know any difference between the Natives of New South Wales and here ; " those at Port Jackson are savager."

Robert Evans, of Muddy Plains.

ARRIVED in Van Diemen's Land early in the year 1804 ; was a marine ; landed on Hunter's Island ; was not at Risdon when the attack took place upon the Natives ; heard that they came down in a great body ; not that they made any attack ; that they brought a great number of kangaroo with them for a Corrobbery ; never heard that they interrupted any one, but that they were fired on ; does not know who ordered them to be fired on, or how many of them were said to have been killed ; heard there were men, women and children ; that some were killed, and some children taken away ; never heard that any Natives were killed upon the Hospital-hill ; never left the Colony since his arrival ; nor this side of it, except once or twice ; if Natives had been killed on the Hospital-hill must have heard of it ; a small tribe of Natives came to his house at Muddy Plains for six years constantly, until Musquito behaved ill to his wife, and he was the cause of their going away ; never found them disposed to be mischievous ; they would pilfer ; never any person killed by them at Muddy Plains ; at first, 18 or 20 used to come to his house, then nine or ten ; has seen none for the last five years ; does not know if the last execution of the two blacks had any effect upon the minds of the Natives ; they left off coming to his house before that occurrence ; never would have thought it safe for a person to trust himself with them ; always thought them treacherous ; they have always behaved treacherously to others who went into the bush.

17th March.

Roderic O'Connor, Esquire.

THE Natives have become so dexterous that it is now next to impossible to get a sight of them ; they move with greater rapidity than formerly ; they are never seen in winter ; their attacks are from September to March ; they then retire into the interior ; they will not now be content without sugar, bread and blankets ; they have very great appetites ; saw a child of eight months old, then at the breast, eat a whole kangaroo rat, and then attack a craw-fish ; the settlements are now so numerous, and many of them so wide apart, that it is impossible to give them all protection.

Roving parties cannot travel so fast as the blacks, being obliged to carry provisions, which the Natives know where to procure. The Natives travel in parties of 10, 20 and 30. " The only way is for the settler to protect himself and his men ;" they do not at present ; but expect Government to protect them ; would not anticipate any evil from the arming of the convicts ; there would be no union amongst them ; they would betray each other ; ranging the country will never do any good ; they are remarkably keen-sighted, and they will never come near a place where they see soldiers or constables ; stratagem must be resorted to, and ambushes formed ; does not see how the government can do it ; stock-men used to shoot and hunt the Natives ; Captain Ritchie's men, to the westward of Norfolk Plains, used to hunt them on horseback, and shoot them from their horses ; one of those men was known by them, and watched and followed till they killed him at Piper's Lagoon ; he had told Mr. O'Connor that he had thrown a woman upon a fire and burned her to death ; the Natives think lightly of the whites ; their huts being thatched are easily fired, and the inmates being unarmed, and frequently flying when attacked, gives confidence to the Natives. After treating the Natives kindly would not trust himself with them ; knows they have taken bread with one hand and thrown a spear with the other ; instanced the murder of Osborne and his wife. The settlers cannot send their men away in pursuit of the Natives ; one party of Natives frequently decoy men from stock-huts, whilst another plunders it ; this cannot be prevented but by the men staying at home ; the Natives are more anxious to plunder than to murder ; they will not attack a respectable-looking house ; they did not go near Mr. Harrison's house as reported ; it was his own men who created the alarm ; Mr. Sherwin's hut was in a very secluded place, and had not the appearance of a house ; they do not now come to the places in the settled districts they were wont to frequent ; they are prevented by
a consciousness

a consciousness of the atrocities they have committed; Mr. Sherwin's hut was surrounded by hills, from which the Natives could watch it; the Natives would as soon murder each other as the whites; Mr. Wedge's native boy says that wars continue amongst them; does not believe that the Natives act in concert; the Natives are as tenacious of their hunting-grounds as settlers are of their farms, and are displeased when they find houses built or persons hunting upon them; this causes them to attack remote stock-huts. Mr. Eddie's farm, under the Western Tier, by the Black Sugar-loaf, is much frequented by the Natives, but they have never attacked his house, although they have pursued his men; the Natives frequently have speared sheep, and if they were taught to skin them would soon eat them; they scrape their kangaroo and opossum very clean before they roast them; knows no way that can be adopted better than that every settler should protect himself, and the military assist in repelling the Natives; believes the roving parties have driven the Natives into the settled districts; the Natives watch the stock-huts incessantly, and if a soldier is in one they never come near; they can only be captured by their fires at night; the presence of soldiers prevents Natives from coming into the neighbourhood. A man named Douglas Ibbens would soon put an end to the eastern mob if he were employed; he has killed half that tribe by creeping upon them and firing amongst them with his double-barrelled gun; some of the worst characters would be the best to send after them; Ibbens could get men to go with him who would capture the eastern mob; the offer of a reward was the best measure that could be adopted; the soldiers formerly had no inducement to pursue the Natives; believes there are 600 or 700 Natives in the whole island; a small tribe at Port Davey, Abyssinia, Stoney Creek, Oyster Bay, and north of the North Esk; the Natives cannot now be taught that the white people are well inclined towards them; they may be taught so after they are captured, although many who are captured and sent out again prove the most mischievous; the Natives might have been civilized here if they had been treated as they have been at Sydney, where, when they committed outrages, they were immediately pursued till they were punished; they attacked the whites at Liverpool Plains, but desisted after a few of them were shot.

A man employed by Mr. Stocker, named Cubitt, has killed a number of the Natives, and they have made many attempts upon his life, and speared him in several places. On one occasion when he was escaping from them they cried out to him in English "We will have you yet."

It is impossible to suppress them by open force; they leave their women and children behind them when they go upon expeditions; does not know if capturing their women and children would induce the males to come in; all they are now actuated by is a love of plunder; the chief thing they want is bread, and prefer getting a sack of flour by robbing a hut, to hunting for opossums.

The formation of roads would not tend to the capture of the Natives, unless the lands in the vicinity of those roads were settled.

— No. 8. —

COPY of a DESPATCH from Secretary Sir *George Murray*, to Lieutenant-Governor *Arthur*.

Sir,

Downing-street, 5th November 1830.

I HAVE the honour to acknowledge the receipt of your Despatch of the 15th of April last, transmitting copies of the orders which you had issued to the civil and military authorities employed in the protection of the districts most exposed to the hostile attacks of the Natives, accompanied by the Report of a Committee whom you had appointed to inquire as to the origin of those proceedings, and to consider the measures most expedient to be adopted with a view to protect the settlers from a repetition of them in future.

I regret to find that the steps which have been already taken should have proved ineffectual in establishing a more friendly feeling on the part of the Natives towards the Settlers. Too much praise, however, cannot be bestowed on the exertions which you have used to conciliate these misguided people; and much credit is also due to the gentlemen composing the Committee, whose able Report you have transmitted, for the attention which they have given this subject.

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It does not appear of much importance at the present moment to inquire further as to the quarter from whence the first aggressions have proceeded, although I fear that it is too evident, from the information obtained upon this point by the Committee, that the provocation has principally originated with the white people. The question which it is now most essential to consider, is, as to the remedy to be applied in the present conjuncture ; and I will, with this object in view, proceed to make such observations as an examination of the papers before me has suggested.

It is evident from the opinion of the Committee, (and I perceive that you have expressed yourself as strongly upon the same point), that no effectual check can be opposed to the hostile attacks of the Natives, nor can the country ever be restored to a state of security unless the settlers themselves evince a more determined spirit of resistance to their opponents than they have hitherto manifested. Although there can be no doubt that the indifference of which you complain on the part of the settlers, in a cause in which they are so much interested, might be urged as an excuse for leaving them to their fate when assailed by the Natives, yet a due regard to the general interests of the community would render it imprudent to decline affording assistance to those settlers whose property may be most exposed to plunder. At the same time you will take care, whenever called upon to render such assistance, to impress upon the settlers the necessity of relying, more than they have been accustomed to do, upon their own exertions for protection ; and you will require in every such case that the settler should take upon himself a prominent part in the defence of the property threatened with an attack. I am satisfied that in proportion as the settler is reduced to this alternative will be his anxiety to abstain from all acts likely to irritate the Natives, whilst, on the other hand, the latter will be less disposed to annoy the settler when they find they can no longer do so with impunity.

The great decrease which has of late years taken place in the amount of the Aboriginal population, render it not unreasonable to apprehend that the whole race of these people may, at no distant period, become extinct. But with whatever feelings such an event may be looked forward to by those of the settlers who have been sufferers by the collisions which have taken place, it is impossible not to contemplate such a result of our occupation of the island as one very difficult to be reconciled with feelings of humanity, or even with principles of justice and sound policy ; and the adoption of any line of conduct, having for its avowed, or for its secret object, the extinction of the Native race, could not fail to leave an indelible stain upon the character of the British Government.

The Committee has expressed an opinion " that these acts of violence on the part of the Natives are generally to be regarded, not retaliatory for any wrongs which they conceived themselves collectively or individually to have endured, but as proceeding from a wanton and savage spirit inherent in them, and impelling them to mischief and cruelty, when it appeared probable they might be perpetrated with impunity." In order to the unqualified admission however of this opinion, it would be necessary to have established the fact, that aggressions had not begun with the new settlers.

You have proposed, as a means of mitigating the evil complained of, that an increased number of convicts should be sent out to Van Diemen's Land, and that the detachment of the 63d Regiment, at present at Swan River, should be withdrawn from thence, and be ordered to join the main body of that corps at Van Diemen's Land. On the first of these points, your wishes will be complied with, if possible ; but with regard to the second, I must remind you, that to seek a remedy in the augmentation of the number of His Majesty's troops in the Colony of Van Diemen's Land, would be to trust to a resource which must unavoidably be both limited and uncertain.

I approve of your increasing, to a reasonable extent, the Field Police, and the awarding a moderate bounty to the military who may be employed upon this particular duty ; but I am of opinion that this bounty should be supplied by the settler at whose desire the soldier may be employed ; not only with a view of relieving the public of this additional expense, but to prevent unnecessary applications from the settlers for military protection, as no augmentation which could be made to the military force under your command would be adequate to meet every application of this nature from settlers, whenever any danger might be apprehended, nor would such a mode of employing the military, if carried to excess, be at all consistent, probably, with the discipline of the troops.

The Mounted Police could not be augmented in number without incurring a charge to which the finances of the colony would not be equal; and it will therefore be desirable that the men now composing this corps should be employed in watching the proceedings of the Natives, and in conveying to the settler, in whose neighbourhood they may have been seen, the earliest intelligence of their movements, in order that he may secure his habitation, and make such other arrangements as shall appear to him to be necessary to meet the approaching danger.

Upon many of the details which are adverted to by the Committee in their Report, I do not consider that I can enlarge with any advantage. The local authorities can alone appreciate the several recommendations with which the Report concludes, and it must accordingly be left to you to decide as to the best mode of stationing the police authorities, and of establishing the magazines of provisions, and other necessaries, which they may require in the execution of their duties. I cannot, however, refrain from adverting specially to the measure proposed by the Committee, of prohibiting the settlers from destroying the kangaroo's by hunting or shooting them within the limits prescribed to the Natives, in order that this grievance may be immediately removed, although I am happy to find that no injury has been sustained on this head, in consequence of there appearing to be no real scarcity of these animals in the districts which these people most frequent.

Although it is greatly to be feared that much time and pains will be requisite to alter the footing upon which the British Settler and the Aborigines of the colony unfortunately stand towards one another, I cannot conclude this Despatch without urging upon you, in the strongest manner, to continue to use your utmost endeavours to give to the intercourse between them a less hostile character than it now has; and to employ every means which kindness, humanity and justice can suggest, to reclaim the Natives from their original savage life, and render them sensible of the advantages which would ultimately result to themselves, and to their descendants, from the introduction amongst them of the religion and the civilization of those whom it must be difficult for them to regard at present in any other light than as formidable intruders. With this object in view, the utmost forbearance will be requisite on the part of the settlers, in every case in which a Native may fall in their way; and I hope you will be able, by degrees, to prevail upon the settlers to believe that such a line of conduct, both on their own part, and on that of their assigned servants, will not only be the most proper and becoming, but will also prove in the end to be the most conducive to their own interests and their security.

I am, &c.,
(signed) *G. Murray.*

— No. 9. —

EXTRACT of a DESPATCH from Lieutenant-Governor *Arthur* to Secretary *Sir George Murray*; dated Van Diemen's Land, 20th November 1830.

“BY my Despatch of the 15th April last, you will have been informed, that notwithstanding the united efforts of the government and the respectable part of the community, to conciliate the Natives, they continued to show the most rancorous and determined spirit of hostility to the white people, and that the settlers had become importunate in their calls upon the government for protection; I still, however, persevered in the attempt to open a friendly intercourse with these people, and Mr. Robinson, the person who had been placed in charge of the establishment which I formed for the Natives of Bruné Island, having offered to proceed on a mission to the tribes inhabiting the south-west quarter of the island, I readily availed myself of his proposal, and for a short period during the winter months I had great hopes that a friendly understanding might be restored; some of the Natives belonging to a tribe which had been known to be hostile, in the north-east quarter of the island, having approached a party of white people in a peaceable manner, and Mr. Robinson having succeeded in communicating amicably with some tribes in the north-west. Being most anxious that the peaceable disposition which had thus been shown should be encouraged,

I caused, on this occasion, the Government Notices to be issued on the 19th and 20th August, copies of which I have the honour to enclose; but, I regret to state, that in the same week, the Natives attacked and plundered, in a more systematic manner than they had hitherto done, several residences in the heart of the settled districts; and so great was the alarm created by the promulgation, at such a moment, of the Government Notices in question, that, with the advice of the Council, I felt it necessary to issue a further Notice, copy of which I enclose.

"I have felt myself imperiously called upon by overruling necessity to act upon the advice of the Council, by calling upon the settlers to unite with the government in a vigorous effort, upon an extended scale, to endeavour to surround and capture the Natives, or expel them from the settled districts. With this view I caused the Government Order to be published on the 9th September, and directed the general movement by the community, of which the Government Order of the 22d September contains the outline. And as it was indispensable for the success of the arrangements that the whole island should be declared under martial law, I issued, with the advice of the Council, a Proclamation for that purpose.

"All classes of the community have manifested the greatest alacrity and zeal in seconding the measures of the government on this occasion. The settlers have come forward with their personal exertions, and the assistance of their servants; whilst the gentlemen of the towns have volunteered to do the duty of a garrison, in a manner which demonstrates how much importance is attached to the measures directed for the protection of the lives and properties of the settlers, and how cordially and entirely the whole community unite with the earnest desire of the government, rather to capture the savages, and place them in some situation of security, where they can neither receive nor inflict injury, than desecrate their lives.

"In the month of July last three native women, who were captured last year and subsequently treated with the utmost kindness, were deputed to go out and presents to their tribe, and assure them of the friendly feeling of the government towards them, and invite them to be conciliated. The women readily undertook the embassy, appeared very sensible of the humanity they had experienced, and promised to use their influence amongst their tribe, which they felt confident would prove successful. Up to the period of the communication of the present measures, however, they had not returned; but two weeks afterwards they appeared at the place appointed, the residence of Mr. Bateman, in the police district of Campbell Town, and brought in with them the chief and nine other men of the tribe. According to the arrangement which had been previously determined upon, Mr. Bateman treated these savages with the utmost kindness, distributing to them clothing and food; they were placed under no restraint, and all the indulgence which had been pledged was manifested towards them. Mr. Bateman, who has taken the most lively interest in conciliating these wretched people, and has been one of the few who supposed that they might be influenced by kindness, was, with his family, most assiduous in cultivating the best understanding; but, after remaining with him eight or nine days, they silently withdrew in the dead of the night, robbing Mr. Bateman of every thing they could lay their hands upon, and in their progress plundering every hut, and spearing every white man who had the misfortune to encounter them.

In October last two of the natives belonging to the western tribe delivered themselves up to a shepherd; they were lodged in the Penitentiary at Launceston, as a place of some security, as well as of some protection for them, and according to the directions which have been peremptorily enjoined, they were treated with kindness, and abundance of food and clothing was provided for them, but within a month they effected their escape, and the first notice which was received of the direction they had taken was accompanied by the painful information of their outrages. Eumarrah, the chief of the Stoney Creek tribe, was captured two years ago; for some time after his capture he was narrowly watched, but by his apparently artless manner, and strong protestations of attachment, he was gradually confided in more and more, until at length I felt a confidence that he would be greatly instrumental in carrying into effect the measures so ardently desired for conciliation. I have continually had him brought to the Government House, and personally satisfied myself that he *fully understood*

understood that the wishes of the government were those of kindness and benevolence towards his race. On this occasion, therefore, I brought him with me, and entrusted him to conduct a party of the Natives, assuring him that they should be clothed, and fed, and protected; but to my disappointment and sincere regret, he availed himself of the first moment to abscond, and has, I fear, rejoined his tribe with the most hostile intentions.

"Other instances might be adduced of the treacherous character of these savages; but those I have mentioned will satisfy you, perhaps, that conciliatory measures are not likely to succeed, and cannot, in prudence, be any longer pursued. It is, however, particularly gratifying to me to reflect that they have been persisted in as long as there was a hope of success, since I collect from the Despatches I have had the honour to receive, that such a proceeding is in entire accordance with the views of His Majesty's Government, although certainly a different opinion has been formed by many of the oldest inhabitants of the colony.

"Failing in every endeavour to conciliate, and the outrages of the savages being more daring, and their murders and robberies more systematically conducted, the next measure which we are bound to *attempt* is, I conceive, that which is now in progress, the earnest and hearty co-operation of the whole European population to capture them, with the least possible destruction of life, or to drive them into Tasman's Peninsula.

"You will, Sir, readily admit, that no undertaking can be more arduous under any circumstances, or in any country, than to capture savages; and the difficulty is greatly augmented in this colony, the country being, perhaps, the most rugged on the face of the earth. Van Diemen's Land is, perhaps, unequalled by all other islands for the salubrity of its climate, and for the fertility of its vallies, but no country that I am acquainted with has so large an extent, in proportion to its area, of wild, unproductive, impervious, rugged mountains and dense forests. Upon capturing the native savages I cannot say, therefore, although it has always been a favourite notion in the colony, that I have ever been very sanguine; but, as a portion of the south-east quarter, containing many thousand acres of most unprofitable soil for Europeans, is well suited for the purpose of savage life, abounding in game, I have entertained strongly the opinion that it might be practicable to drive the savages into that portion of the territory, and that there they might be retained, as it is connected only by a very narrow neck, which might be guarded. The united efforts of the community have therefore been directed to this end, either to capture, or drive the Native tribes, which have been the most sanguinary, and the most perfidious and hostile, towards Tasman's Peninsula. The Government Orders are declaratory of the objects of the Government, and the measures proposed for carrying them into effect; and the accompanying rough Field-Plan and Memorandum will still more distinctly point out to you the several movements which, upon the most anxious and deliberate consideration, appeared to me calculated to impel the savages forward from the settled districts towards the country in which it was desired to secure them.

See Plan.

"The operations were first commenced on the 4th October, at the most remote districts, and after an advance of 18 days, the position was occupied from Prosser's Bay to Sorell, and five parties were then sent within the circuit formed to ascertain whether the Natives, who had frequently been discovered to be driven before the troops, were then within our chain of posts. The parties thus sent were selected from inhabitants most accustomed to the bush, and to the habits of the Natives; and they were instructed not to risk the hazard of attempting to capture a few, but rather to gain information. This instruction unfortunately was not sufficiently regarded; the savages were discovered by one of the parties, and two of them were captured, and two were shot in the struggle, and the rest dispersed, although still within the chain of posts.

"Since this occurrence the parties within the circuit have been considerably augmented, but all their endeavours to surround or drive on the Natives towards East-bay Neck have been unavailing; and it is only by their traces, and a few being seen occasionally, that we ascertain them to be within the chain of posts. A force composed chiefly of volunteers cannot of course be long expected to hold together: the settlers, notwithstanding their exceeding anxiety to capture the blacks, become most impatient of delay, and now no alternative remains but to advance "*en masse*," affording the chance to the savages to escape through the

numberless gaps which must inevitably be opened out in advancing over the rugged mountainous country before us, although it is very probable that their fears may prevent them from making the attempt.

"I am sorry that the "Science" sails for England to-morrow, which precludes me from reporting the result, which must be decided in another week. The providence of God will, I trust, crown the measure with success, since it will be a most happy deliverance for all parties that these savages are removed from the possibility of continuing the dreadful murders and outrages which have marked their career for some time past. I cannot, however, say that I am sanguine of success, since their cunning and intelligence are remarkable; but whilst I hope His Majesty's Government will approve of my having omitted no measures which had a tendency to conciliate, or to preserve the lives of these savages, I am sure it will always be a matter of consolation to the Government of the Colony, and to its respectable inhabitants, that we have made every effort in our power to save the aboriginal race from being exterminated, which must be the result if they can neither be conciliated nor taken; self-preservation will compel the inhabitants to destroy them.

"The idea seems too monstrous to be credited, but it is my duty to report, that there are very strong reasons for apprehending that some miserable convicts have incorporated themselves with the savages.

"I need not, I am sure, add, that this subject wholly engrosses and fills my mind with painful anxiety; but it is my greatest consolation that the prosperous circumstances of the Colony in every other respect are highly cheering, and that the cordiality and good feeling which universally prevail between the government and the community encourage me to hope, that whatever measures may be deemed necessary for our common security will be heartily concurred in by all classes.

"His Majesty's Government may be assured, that as soon as conciliation be possible, I shall most readily and eagerly embrace it; but I sincerely believe, if we cannot capture, or drive the Natives entirely out of the settled districts, that there will be no possibility of conciliating until some of their most sanguinary chiefs have been shot.

"I hope in my former despatches I have succeeded in conveying to His Majesty's Government exactly the progress of this heavy calamity upon the Colony: its history is very brief. The aboriginal savages of Van Diemen's Land were early distinguished for their extreme timidity, and extreme cunning and treachery. Soon after the Colony was settled, in the year 1805, a scarcity of provisions was felt, amounting almost to a famine; in this extremity the convicts were permitted to go into the bush, in order to find food, and, as the country abounded with game, they readily discovered it, and were subsequently indisposed to return and submit to the authority of the government. This state of things continued until the year 1809 or 1810, and laid the foundation for that system of plunder which was denominated "bush-ranging." The convicts leading this predatory course of life continually associated with the aboriginal Natives, whom, it is unquestionable, they treated with the most unnatural cruelty, taking away their women, and often murdering the men. The seafaring people employed in the sealing trade also united in the commission of these acts of cruelty; and although the miserable savages were too timid to resent the atrocities committed upon their tribes openly, they nevertheless secretly speared their oppressors whenever favourable opportunities placed them within their power. Unable to distinguish between the class of persons whom I have described and the stock-keepers, they no doubt frequently vented their enmity upon the latter, and hence the enmity between the Natives and the Europeans was extended. The savages having become more expert, became also more bold and sanguinary, and undoubtedly they would, without distinction, murder every white inhabitant, if they could do so with safety to themselves. In the year 1824, great encouragement was held out to the Natives to seek the protection of the government, and three tribes especially, the Big River, the Oyster Bay and the Abyssinia tribes, were treated with peculiar kindness; huts were erected for them, and food provided, and they were sure of protection from all the respectable part of the community, as well as from the government. I had frequent interviews with them myself, and held out to their chiefs the strongest assurances of protection. Still their enmity was evidently unabated,

unabated, and I have no doubt they were continually ill-used by the dissolute and abandoned convicts who had absconded either from the government or from the service of the settlers.

" From this or other exciting causes the character of the savages has evidently become more and more hostile ; and although their natural timidity still prevents them from openly attacking even two armed persons, however great their number, yet they will, with a patience quite inexhaustible, watch a cottage or a field for days together, until the unsuspecting inhabitants afford some opening, of which the savages instantly avail themselves, and suddenly spear to death the defenceless victims of their indiscriminate vengeance ; and success in various instances seems now to have made them as eager in this mode of warfare, (their object being to plunder as well as to destroy the white inhabitants,) as they were in pursuing the kangaroo. Two Europeans who will face them will drive 50 savages before them, but still they return and watch until their unerring spears can bring some victim to the ground. This, which is a faithful statement of our situation, must, I am persuaded, convince you that the hope of conciliation cannot at this time be reasonably entertained, nor can measures to attain it be any longer prudently acted upon."

(Enclosure No. 1.)

Government Notice, No. 160.

Colonial Secretary's Office, August 19, 1830.

It is with much satisfaction that the Lieutenant-Governor is at length enabled to announce, that a less hostile disposition towards the European inhabitants has been manifested by some of the aboriginal Natives of this Island, with whom Captain Welsh and Mr. G. A. Robinson have succeeded in opening a friendly intercourse.

As it is the most anxious desire of the government, that the good understanding which has thus happily commenced should be fostered and encouraged by every possible means, his Excellency earnestly requests, that all settlers and others will strictly enjoin their servants cautiously to abstain from acts of aggression against these benighted beings, and that they will themselves personally endeavour to conciliate them wherever it may be practicable : and whenever the Aborigines appear without evincing a hostile feeling, that no attempt shall be made either to capture or restrain them, but, on the contrary, after being fed and kindly treated, that they shall be suffered to depart whenever they desire it.

By his Excellency's Command.

J. Burnett.

Government Notice, No. 161.

Colonial Secretary's Office, August 20, 1830.

THE Lieutenant-Governor has learned with much regret, that the Government Order, No. 2, of the 25th February last, offering certain rewards for the capture of the Aborigines, appears in some recent instances to have been misapprehended ; and in order to remove the possibility of any future misunderstanding on this important subject, His Excellency has directed it to be distinctly notified, that nothing can be more opposed to the spirit of the above named Order, and to that of all the different Proclamations and Orders which preceded it, than to offer any sort of violence or restraint to such of the aboriginal Natives as may approach the European inhabitants with friendly views. The reward was offered for the capture of such Natives only as were committing aggressions on the inhabitants of the settled districts, from which it was the object of the Government to expel them, with every degree of humanity that was practicable, when all efforts for their conciliation had proved abortive.

It is his Excellency's most particular desire, and most peremptory order, to all persons employed under the Government, that no violence or restraint shall be offered to the inoffensive Natives of the remote and unsettled parts of the territory,

and that all such as may approach the settled districts, and offer to hold intercourse with the inhabitants, in a friendly manner, may be encouraged to do so, and permitted to depart whenever they desire it; and if, after the promulgation of this notice, any *wanton* attack or aggression against the Natives becomes known to the Government, the offenders will be immediately brought to justice and punished.

The Lieutenant-Governor desires that this notice may be read by all magistrates to the constables under their orders; and requests that settlers will take every means of making it known to their assigned servants.

By his Excellency's Commands.

J. Burnett.

(Enclosure No. 2.)

Government Notice, No. 166.

Colonial Secretary's Office, Aug. 27, 1830.

THE Lieutenant-Governor has learned that the intention of the Government in issuing the Notices Nos. 160 and 161, which appeared in the Gazette of last week, has been misinterpreted by some of the inhabitants of the districts in which the Natives have shown the most decided hostility.

A friendly disposition having been slightly manifested by a tribe which had been hostile, his Excellency anxiously availed himself of the occasion to repeat the injunctions which have been uniformly expressed in the orders and instructions of the government, that the measures which are indispensable for the defence and protection of the settlers should be tempered with humanity, and that no means of conciliation should be spared; but it was not intended to relax in the most strenuous exertions to repel and to drive from the settled country those Natives who seize every occasion to perpetrate murders, and to plunder and destroy the property of the inhabitants.

The conduct displayed by those savages in their recent outrages in the Oatlands and Clyde Districts, proves that the utmost vigilance is necessary for the safety of every dwelling; and the Lieutenant-Governor trusts that the magistrates and respectable inhabitants will make it a point frequently to visit the huts in their neighbourhood, and urge the occupants to keep their arms in good order, and always at hand. The lives and property of every family depend, in fact, upon the individual exertions of its head.

Any wanton attack against the *inoffensive* tribes on the west and south-west districts of the colony, or against the tribes inhabiting the adjacent islands, or against any Aborigines who manifest a disposition to conciliate and to surrender themselves, will undoubtedly be vigorously prosecuted; but it is not expected, much less required, that the settlers are calmly to wait in their dwellings to sustain the repeated and continued attacks of the tribes, who are manifesting such a rancorous and barbarous disposition as has characterized their late proceedings. They are, by every possible means, to be captured, or driven beyond the settled districts.

By his Excellency's command.

J. Burnett.

(Enclosure No. 3.)

EXTRACT from the MINUTES of the EXECUTIVE COUNCIL, held on Friday, the 27th August 1830, 12 o'clock.

"Present—His Excellency the Lieutenant-Governor; His Honor the Chief Justice; The Colonial Secretary; Jocelyn Thomas, Esq.

"The Lieutenant-Governor informed the Council that letters had this week been received from Major Douglas, Captain Vicary, and Mr. Anstey, reporting various outrages committed by the Natives in the Oatlands and Bothwell Police Districts; and that Mr. Anstey had enclosed a letter from the jury on the inquest over the body of James Hooper, who had been murdered, expressive of their alarm

Measures respecting the Natives.

24 August.

alarm in consequence of two Government Notices published in last week's Gazette, by which it was announced that Captain Welsh and Mr. T. A. Robinson had succeeded in opening a friendly intercourse with some of the Natives, and by which the settlers were urged to use every endeavour to conciliate, whenever the Aborigines should appear without evincing a hostile feeling; and all persons employed under the Government were ordered to offer no violence or restraint to the inoffensive Natives in the remote and unsettled parts of the territory; and by which it was intimated that if any *wanton* attack or aggression were committed against them, the offenders would be immediately brought to justice and punished. The writers of this letter concluded by entreating that some measures should be adopted to relieve the settlers from their perilous condition. His Excellency read Mr. Anstey's communication in which this letter was forwarded, and in which he had taken occasion to express his firm opinion, that the Aborigines are now irreclaimable, and that the ensuing spring will be the most bloody that we have yet experienced, unless sufficient military protection should be afforded.

"The Lieutenant-Governor stated, that feeling extreme anxiety from the state of alarm in which the settlers were thrown, and the great responsibility he should incur, in consequence of instructions he had lately received from the Secretary of State, if further offensive measures were resorted to against the Natives, he had assembled the Aborigines Committee, and referred to them the reports received during the week. Read the Report of the Committee, who stated, they were unwillingly compelled to conclude, after mature deliberation, that the whole of the Aborigines who had lately appeared in and near the settled districts, with only two exceptions, were actuated by the love of plunder, joined with the most uncorrosive animosity, and that therefore it had become essentially necessary to adopt the most vigorous measures, and to repel the Aborigines from the settled districts by every means that could be devised, both on the part of the Government and the community, as all efforts to conciliate the hostile tribes had proved quite ineffectual.

"Under the circumstances, the Lieutenant-Governor requested the advice of the Council as to the measures which it would be desirable to adopt to afford further protection to the settlers."

"The Council, after fully deliberating upon the subject, is of opinion, that all the events which have happened since the Council advised His Excellency to proclaim martial law, and to drive the Aboriginal Natives out of the settled districts, have only tended to confirm the Council in its opinion of the actual necessity of such a measure; and it regrets that the force which has hitherto been at His Excellency's disposal for that purpose has not been sufficient to effect it.

"Of the necessity of such a measure the Council apprehends no doubt can be entertained, when the nature and character of the attacks made by the Natives, and the manner in which they are made, and the situation of the settlers who are exposed to them, are considered.

"It appears to the Council now, as it did nearly two years ago, that the wanton and barbarous murders committed by the Natives indiscriminately, as well on those who could not as on those who might have given them provocation, on men armed and unarmed, and on defenceless women and children, can be considered in no other light than as acts of warfare against the settlers generally, and that a warfare of the most dreadful description, for they have seldom spared the lives of any who have fallen into their power; and the love of plunder has of late much increased amongst them, yet they are equally if not chiefly actuated by a love of murder. The manner in which these attacks are made are such as no ordinary prudence can long guard against. The Council cannot but remember the repeated proofs it has had before it of the skill with which the Natives have availed themselves of the facilities presented to them by the natives of the country, to make their hostile approaches unperceived, of their patience in watching for days the habitation of those whom they design to attack, and of the frightful celerity with which they avail themselves of any unguarded moment to fall upon the inmates, and put them to a cruel death; nor can it forget those instances in which they have effected their purpose by means of the most consummate and deliberate treachery, by sending some of their people, sometimes women, sometimes unarmed men, who have approached huts with apparently the most friendly disposition, and have succeeded in engaging the attention of the inmates, or in alluring some of them to a distance, and thus enabling their armed confederates to fall suddenly upon their unsuspecting victims and destroy them.

" The Council conceives that these facts are sufficient to show how dangerous an enemy it is whom we have to contend with, and how impossible it is to rely upon any demonstrations they may make of a friendly nature, and how absolutely necessary it is that the settled districts at least should be freed from their presence.

" Formerly their attacks were confined to the remote huts of stock-keepers and sawyers, but now they have ventured to carry them into the heart of the settled districts.

" The Council begs leave to refer to the advice which it has offered on former occasions when this distressing subject has been before it, as a proof of the desire which it has felt, and does still feel, to put a stop to this unhappy state of things, if possible, by negotiation and by conciliatory measures, a desire which it well knows to have been shared by His Excellency, and by the most respectable classes of the community : but all endeavours to conciliate the Natives have failed. The Council still wishes that conciliation may be attempted wherever practicable ; but it cannot conceal from His Excellency its opinion, that little can be hoped from attempts to negotiate with or to conciliate a people in so rude and savage a state as the Aboriginal Natives of this island, who live in tribes independent of each other, and who appear to be without government of any kind, and who not only are without sense of the obligation of promises, but appear to be insensible to acts of kindness, as has been clearly evinced by the commission of wanton murder almost immediately after they have quitted settlers by whom they have been fed and treated with the utmost kindness.

" In such a state of things, it appears to the Council that the time is now arrived when it has become absolutely necessary that some vigorous effort, upon a more extended scale than has hitherto been practicable, should be made for expelling these miserable people forthwith from the settled districts. The settlers appear to be generally so impressed with a sense of the danger of their situation, that the Council doubts not that His Excellency may rely upon having their hearty co-operation ; and it trusts that the volunteers which they may be expected to furnish, joined to the troops which the late increase of the strength of the garrisons will enable His Excellency to employ in the field, will form a force sufficient for the accomplishment of this most necessary measure. In advising His Excellency to adopt such a measure, the Council is well aware of the responsibility it incurs, and of the painful situation in which its advice, if followed, may tend to place His Excellency ; but the Council sees no alternative. It hopes and believes that if a sufficient force can be thus collected, the expulsion of the Natives may be effected at the expense of little bloodshed ; and even if it should cost more lives than the Council anticipates, it is a measure dictated not less by humanity than by necessity, since it is calculated to bring to a decisive issue a state of warfare which there seems no hope of ending by any other means, and which, if much longer continued, the Council fears will become a war of extermination."

[Broke up at Six o'clock.]

(Enclosure No. 4.)

Government Order, No. 9.

Colonial Secretary's Office, September 9th, 1830.

THE Lieutenant-Governor has considered, with anxious interest, the numerous representations of the settlers, expressive of their alarm at the increasing boldness of the Natives, and of the danger in which their lives and property will be placed, unless additional protection be speedily afforded by the Government.

2. But it is in vain to expect that the country can be freed from the incursions of the savage tribes which now infest it, unless the settlers themselves come forward and zealously unite their best energies with those of the Government in making such a general and simultaneous effort as the occasion demands. The Lieutenant-Governor, therefore, calls upon every settler, whether residing on his farm, or in a town, who is not prevented by some overruling necessity, cheerfully to render his assistance, and to place himself under the direction of the police magistrate of the district in which his farm is situated, or any other magistrate whom

whom he may prefer; and his Excellency is convinced that, on an occasion so important, a sufficiently numerous volunteer force will thus be raised, that, in combination with the whole disposable strength of the military and police, and by one cordial and determined effort, will afford a good prospect of either capturing the whole of the hostile tribes, or of permanently expelling them from the settled districts.

3. In making this call upon the inhabitants of the Colony at large, the Lieutenant-Governor trusts, that whoever embarks in the service, will do so zealously and firmly, and that he will devote his whole mind and energies exclusively to insure its success; for as services of this kind have on some former occasions been greatly perverted, his Excellency is desirous of cautioning all those who feel the necessity of coming forward on the present occasion, that it is not a matter of amusement or recreation, but a cause of the most important and serious kind, in which the lives and property of the whole community are more or less at stake.

4. The utmost disposable military force will be stationed in a few days at those points in the interior which are most exposed to attack, or in which the Natives are most likely to be encountered. The whole force on the north side of the island is confided to the immediate charge of Captain Donaldson, who has already given the inhabitants of that part of the Colony good reason to trust in the zeal and activity of the 57th Regiment. The force in the centre of the island, extending from Ross, north-east of St. Patrick's Head, and north-west to Auburn and the Lake River, is under the immediate direction of Captain Wellman, 57th Regiment. The force in the Bothwell District, extending north-west to the Lakes, and south to Hamilton Township, is under the immediate orders of Captain Wentworth, 63d Regiment. The force in the Lower Clyde, extending from Hamilton Township, south-east to New Norfolk, is under the charge of Captain Vicary, 63d Regiment. The force stationed at the Cross Marsh, and the confines of the Oatlands, Richmond, and Bothwell Districts, is under the immediate orders of Captain Mahon, 63d Regiment. The force in the District of Richmond, extending north to Jerusalem, north-east to Prosser's Plains, and east to the Coast, is under the orders of Lieutenant Barrow, 63d Regiment. The force in the district of Oyster Bay, extending south to Little Swan Port, north to the Head of Swan River, and west to the Eastern Marshes, is under the orders of Lieutenant Aubin, 63d Regiment; and in order to give unity and vigour to the measures of the Government, the direction of the whole of the combined force thus employed is confided to the general charge of Major Douglas, 63d Regiment, who is stationed at Oatlands, as the most central point of communication.

5. The stations and residences of the several police magistrates are already well known, and with this general information, no individual can be at a loss to decide to what party he will attach himself, so as to give the most effectual aid to the common cause.

6. Any volunteer parties from Hobart Town will render the most essential service by joining the force in the District of New Norfolk, or the Clyde, or Richmond; those from Launceston by strengthening the police to the westward of Norfolk Plains, or on the west bank of the Tamar, or in the country extending from Benlomond to George Town. While still more desirable service will be given by any parties who will ascend to the parts round the Lakes and Western Bluff, so as to intercept the Natives if driven into that part of the country; and any enterprising young men who may have been accustomed to make excursions in the interior, and to endure the fatigues of the bush, will most beneficially promote the common cause by joining the small military parties at the out-stations, and in making patrol expeditions with them, and the services of all such will be readily accepted by the military officers in command of the several stations.

7. To give time for the necessary arrangements, and to meet to the utmost the convenience of the community, his Excellency directs, that the general movement shall commence on Thursday the 7th of October next; and, in the mean time, every settler is enjoined to state to the police magistrate of his district the number of men he can furnish properly equipped for the service, who will cheerfully conform to whatever instructions they may receive.

8. The present roving parties will be augmented to the greatest possible extent, for which purpose all the prisoners holding tickets of leave, who are capable of bearing arms, are required to report themselves to the police magistrate of the

district in which they reside, in order that they may be enrolled, either in the regular roving parties, or otherwise employed in the public service, under the instructions of their respective employers.

9. The Surveyor General will immediately issue orders to all the officers of his department, directing them to confer with the police magistrates and military officers of the districts in which they are employed, to impart generally every species of local and useful information, and to co-operate with their utmost zeal to give the best effect in their power to the measures of the Government.

10. Though the native tribes of this island are well known to be, with few exceptions, extremely timid, flying with precipitation at the appearance of two or three armed persons, yet the numerous attacks they have made on defenceless habitations, and the cruel murders they have committed with impunity on the white population, have had the effect of rendering them daily more bold and crafty, until at last they have become so formidable, that the strongest possible united effort of the community is necessary to subdue them. All minor objects must for a time give way to this one great and engrossing pursuit; and as the combined forces of the volunteers, the military and the police, will be sufficiently numerous almost immediately to ensure the perfect safety of a large portion of the interior, though every master of a family will be careful that the females and other defenceless inmates are, nevertheless, sufficiently protected in case of alarm, yet, at this season, between seed time and harvest, every one will be able to contribute a certain number from his establishment, in order to increase the strength of the effective parties.

11. Should success crown the contemplated measures, the Lieutenant-Governor earnestly enjoins, that the utmost tenderness and humanity may be manifested towards whatever Natives may be captured, and when in custody, that they may be dealt with as beings who have been deprived of the blessings of civilization, and have been actuated in their hostile attacks by a distressing misconception of the amicable disposition entertained towards them by the white population.

12. On an occasion of this general nature, no individual is to expect any specific reward; but his Excellency hopes, it is now well understood in the Colony, that a service rendered to the public is never overlooked or forgotten by the colonial government.

By his Excellency's Command.

J. Barnett.

(Enclosure No. 5.)

Government Order, No. 11.

Colonial Secretary's Office, September 22, 1830.

1. THE Community being called upon to act *en masse* on the 7th October next, for the purpose of capturing those hostile tribes of the Natives which are daily committing renewed atrocities upon the settlers; the following outline of the arrangements which the Lieutenant-Governor has determined upon is published, in order that every person may know the principle on which he is required to act, and the part which he is to take individually in this important transaction.

2. Active operations will at first be chiefly directed against the tribes which occupy the country south of a line drawn from Waterloo Point east, to Lake Echo west, including the Hobart, Richmond, New Norfolk, Clyde and Oatlands Police Districts; at least, within this country the military will be mainly employed, the capture of the Oyster Bay and Big River tribes, as the most sanguinary, being of the greatest consequence.

3. In furtherance of this measure, it is necessary that the Natives should be driven from the extremities within the settled districts of the county of Buckingham, and that they should subsequently be prevented from escaping out of them; and the following movements are therefore directed; first, to surround the hostile native tribes; secondly, to capture them in the county of Buckingham, progressively driving them upon Tasman's Peninsula; and, thirdly, to prevent their escape into the remote unsettled districts to the westward and eastward.

4. Major

4. Major Douglas will, on the 7th of October, cause the following chain of posts to be occupied ; viz. from the Coast near St. Patrick's Head, to the source of the St. Paul's River, and by that river and the South Esk, to Epping Forest, and Campbell Town. This line being taken up, the parties composing it will advance in a southerly direction towards the Eastern Marshes, and will thoroughly examine the country between their first stations and the head of the Macquarrie, and on the afternoon of the 12th October they will halt with their left at a mountain on the Oyster Bay Tier, on which a large fire is to be kept burning, and their right extending towards Malony's Sugar Loaf. To effect this movement, Major Douglas will reinforce the post at Ovocca, and this force, under the orders of Captain Wellman, will be strengthened by such parties as can be dispatched by the police magistrate of Campbell Town, and by the roving parties under Mr. Batman, and will receive the most effectual co-operation from Major Gray, who will, no doubt, be warmly seconded by Messrs. Legge, Talbot, Grant, Smith, Gray, Hepburn, Kearney, Bates, and all other settlers in that neighbourhood.

5. Major Douglas will also, on the 7th of October, form a chain of posts from Campbell Town along the south west bank of the Macquarrie to its junction with the Lake River. These parties will then advance in a southerly direction, carefully examining the Table Mountain range on both its sides, and the banks of the Lake River, and they will halt on the afternoon of the 12th with their left at Malony's Sugar Loaf, and their right at Lackey's Mill, which position will already be occupied by troops from Oatlands. In this movement, Major Douglas will receive the co-operation of the police magistrate of Campbell Town, who will bring forward, upon that portion of the line extending from the high-road near Kimberly's on the Salt-pan Plains to Malony's Sugar Loaf, the force contributed by Messrs. Willis, W. Harrison, Pearson, Jellicoe, Davidson, M'Leod, Leake, Clarke, Murray, Horne, Scardon, Kermode, Parramore, Horton, Scott, Dickenson, R. Davidson, Cassidy, Eagle, Gardener, Robertson, Hill, Forster, with any other settlers from that part of his district ; while that portion of the line extending from Lackey's Mill to Kimberly's will be strengthened by Messrs. G. C. Clarke, G. C. Simpson, Sutherland, Ruffey, Gatenby, G. Simpson, C. Thomson, H. Murray, Buist, Oliver, Malcolm, Taylor, Mackersey, Bayles, Stewart, Alston, Bibra, Corney, Fletcher, Young, O'Connor, Yorke, and any other settlers resident in that part of the district, who will on their march have examined the east side of Table Mountain.

6. In order to obviate confusion in the movements of this body, the police magistrate will, without delay, ascertain the strength which will be brought into the field, and having divided it into parties of ten, he will nominate a leader to each, and will attach to them experienced guides for directing their marches ; and he will report these arrangements to Major Douglas, when completed. The remainder of the forces under Major Douglas will, on the afternoon of the 12th, take up their position on the same line, extending from the Oyster Bay range to the Clyde, south of Lake Crescent, over Table Mountain. Its right, under the command of Captain Mahon, 63d Regiment, resting on the Table Mountain, passing to the rear of Michael Howe's Marsh. Its left, under Captain Wellman, 57th Regiment, at a mountain in the Oyster Bay Tier, where a large fire will be seen. Its right centre, under Captain Macpherson, 17th Regiment, extending from Malony's Sugar Loaf to Captain Mahon's left ; and its left centre under Captain Baylie, 63d Regiment, extending from Malony's Sugar Loaf to Captain Wellman's right.

7. Major Douglas's extreme right will be supported by the roving parties, and by the police of the Oatlands District, which, together with the volunteer parties formed from the District of Oatlands, will be mustered by the police magistrate in divisions of ten men, and he will nominate a leader to each division, and will attach experienced guides for conducting the march ; and he will report his arrangement, when completed, to Major Douglas, in order that this force may be placed in the right of the line, to which position it will file from Oatlands by the Pass over Table Mountain.

8. Between the 7th and the 12th of October, Lieutenant Aubin will thoroughly examine the tier extending from the head of the Swan River, north, down to Spring Bay, the southern extremity of his district, in which duty he will be aided, in addition to the military parties stationed at Spring Bay and Little Swan Port, by

Captains Maclaine and Leard, Messrs. Meredith, Hawkins, Gatehouse, Buxton, Harte, Amos, Allen, King, Lyne, and all settlers in that district, and by Captain Glover and Lieutenant Steele, with whatever force can be collected at the Carlton and at Sorell by the police magistrate of that district.

In occupying this position, the utmost care must be taken that no portion of this or any other force shows itself above the tiers south of Spring Bay before the general line reaches that point; and the constables at East Bay Neck, and the settlers on the Peninsula, must withdraw before the 7th October, in order that nothing may tend to deter the native tribes from passing the Isthmus.

On the 12th, Lieutenant Aubin will occupy the passes in the tier which the Natives are known most to frequent, and will communicate with the extreme left of Major Douglas's line; taking up the best points of observation, and causing at the same time a most minute reconnoissance to be kept upon the Schoutens, in case the Natives should pass into that Peninsula, as they are in the habit of doing either for shell-fish or eggs, in which case he will promptly carry into effect the instructions with which he has already been furnished.

9. Captain Wentworth will, on the 4th of October, push a strong detachment, under the orders of Lieutenant Croly, from Bothwell towards the Great Lake, for the purpose of thoroughly examining St. Patrick's Plains and the banks of the Shannon, extending its left on retiring to the Clyde, towards the Lagoon of Islands, and its right towards Lake Echo.

This detachment will be assisted by the roving parties under Sherwin and Doran, and by the settlers resident on the Shannon.

10. Captain Wentworth will also detach the troops at Hamilton Township, under Captain Vicary, across the Clyde, to occupy the western bank of the Ouse. For this service every possible assistance will be afforded by the parties formed from the establishments of Messrs. Triffith, Sharland, Marzetti, Young, Dixon, Austin, Burn, Jamieson, Shone, Risely, and any other settlers in that district, together with any men of the Field Police who may be well acquainted with that part of the country.

11. A small party of troops, under the command of Lieutenant Murray, will also be sent up the north bank of the Derwent, to scour the country on the west bank of the Ouse. This detachment will be strengthened by any parties of the police or volunteers that can be supplied by the police magistrate of New Norfolk, and from Hobart Town.

12. These three detachments, under the orders of Captain Vicary, Lieutenant Croly, and Lieutenant Murray, after thoroughly scouring the country, especially the Blue Hill, and after endeavouring to drive towards the Clyde whatever tribes of Natives may be in those quarters, will severally take up their positions on the 12th October as follows; viz. Lieutenant Croly's force will rest its left on the Clyde where Major Douglas's extreme right will be posted, and its right at Sherwin's. Captain Vicary's left will rest at Sherwin's, and his right at Hamilton; Lieutenant Murray's left at Hamilton, and his right on the high road at Allanvale, his whole line occupying that road.

13. The parties of volunteers and ticket-of-leave men from Hobart Town and its neighbourhood will march by New Norfolk, for the purpose of assisting Captain Wentworth's force in occupying the Clyde; and they will be rendering a great service by joining that force in time to invest the Blue Hill, which will be about the 10th of October.

14. The police magistrate of New Norfolk will reserve, from amongst the volunteers and ticket-of-leave men, a sufficient force to occupy the pass which runs from the high road, near Downie's, by Parson's Valley, to Mr. Murdoch's, on the Jordan, and on the 9th of October he will move these bodies by the Dromedary Mountain, which he will cause to be carefully examined towards that Pass, which, on the afternoon of the 10th, he will occupy, taking care so to post his parties as to prevent the Natives from passing the chain, on being pressed from the northward.

15. Captain Donaldson will, with as delay as possible, make arrangements for advancing from Norfolk Plains towards the country on the west bank of the Lake River, up to Regent's Plains and Lake Arthur, driving in a southerly direction.

direction any of the tribes in that quarter. He will also push some parties over the tier to the Great Lake, so as to make an appearance at the head of the Shannon and of the Ouse; and on the 12th of October his position will extend from Sorell Lake to Lake Echo, by St. Patrick's Plains. In this important position he will remain, with the view of arresting the flight of any tribes towards the west, which might possibly pass through the first line. And as the success of the general operations will so much depend upon the vigilant guard to be observed over this tract of country, the Lieutenant-Governor places the utmost confidence in Captain Donaldson's exertions in effectually debarring the escape of the tribes in this direction; for which purpose he will withdraw, if he thinks proper, the detachment at Westbury, and will concentrate his forces on the position described. In this service Captain Donaldson will be supported by all the force that can be brought forward by the police magistrates of Launceston and Norfolk Plains, in addition to that which can be contributed by the settlers in those districts.

16. It may be presumed, that by the movements already described, the Natives will have been enclosed within the settled districts of the county of Buckingham.

17. On the morning of the 14th of October Major Douglas will advance the whole of the northern division in a south-easterly direction, extending from the Clyde to the Oyster Bay range; Captain Mahon being on his right, Captains Macpherson and Bailie in his centre, and Captain Wellman on his left, while Lieutenant Aubin will occupy the crests of the tiers. The left wing of Major Douglas's division will move along the tier nearly due south to Little Swan Port River, the left centre upon Mr. Hobb's stock run, the right centre upon the Blue Hill Bluff, and the right wing to the Great Jordan Lagoon. Having thoroughly examined all the tiers and the ravines on its line of march, the division will reach these stations on the 16th, and will halt on Sunday the 17th of October.

18. A large fire will be kept burning on the Blue Hill Bluff, from the morning of the 14th until the morning of the 18th, as a point of direction for the centre, by which the whole line will be regulated.

19. On Monday, the 18th, Major Douglas's division will again advance in a south-easterly direction, its left moving upon Prosser's River, keeping close to the tier, its centre upon Prosser's Plains to Olding's Hut, its right upon Musquito Plain and the north side of the Brown Mountain, which stations they will reach respectively on the evening of the 20th, and where they will halt for further orders, taking the utmost care to extend the line from Prosser's Bay, so as to connect the parties with the Brown Mountain, enclosing the Brushy Plains, with the hills called the Three Thumbs, in so cautious a manner, that the Natives may not be able to pass them.

20. From the morning of the 18th to the 22d a large fire will be kept burning on the summit of the Brown Mountain, to serve as a point of direction for Major Douglas's right and Captain Wentworth's left.

21. On the morning of the 14th October, the western division, under the orders of Captain Wentworth, formed on the bank of the Clyde, will enter the Abyssinia tier, and after thoroughly examining every part of that range, will move due east to the banks of the Jordan, with its left at Bisdee's, Broadribb's, and Jones's Farms, its centre at the Green Ponds, and its right at Murdoch's Farm, at the Broad Marsh, which stations they will severally gain on Saturday evening, the 16th of October, and where they will halt on Sunday the 17th.

22. Whenever Captain Wentworth's force moves from the Clyde to the eastward, those settlers who do not join him will invest the road of the Upper and Lower Clyde, and will keep guard on it during the remainder of the operations, extending their left through "Mile's Opening" to Mrs. Jones's Farm.

23. On Monday, the 18th, the western division will advance its left, which will connect with the right of the northern division by Spring Hill, the Lovely Banks, and the Hollow-tree Bottom, to Mr. Reis's Farm, on the west of the Brown Mountain; its centre over Constitution Hill and the Bagdad Tier, and by the Coal River Sugar Loaf to Mr. Smith's Farm at the junction of the Kangaroo and Coal Rivers; its right over the Mangalore Tier, through Bagdad and the Tea-tree Brush, to Styne's and Troy's Farm, on the Coal River, which stations they

will respectively reach on the afternoon of the 20th, and where they will halt for further orders.

24. Whenever the right wing of Captain Wentworth's Division shall have reached Mr. Murdock's on the Jordan, Mr. Dumaresq's force will abandon the pass of Parson's Valley, and will extend itself on Captain Wentworth's extreme right, advancing with that force until it occupies the Coal River, from Captain Wentworth's right to the mouth of the river. A post of observation will be stationed on the mountain called "Gunner's Quoin," near the Tea-tree Brush.

25. The Assistant Commissary-General will provide rations at the under-mentioned stations; viz.

Waterloo Point; Malony's Sugar Loaf; Lackey's Mill; Under the Bluff of Table Mountain; Bothwell; Hamilton; New Norfolk; Murdoch's (Jordan); Brighton; Cross Marsh; Hobbs; Little Swan Port River; Mr. Torlesse's; Nicholas's on the Ouse; Green Ponds; Bisdee's Farm; Richmond; Mr. Reis's; Kangaroo River; Olding's, Prosser's Plains; Captain M'Laine's, Spring Bay; Lieutenant Hawkins's, Little Swan Port; Oatlands; Tier west of Waterloo Point; Jones's Hut, St. Patrick's Plains; Captain Wood's Hut, Regent Plains; Mr. G. Kemp's Hut, Lake Sorell; Michael Howe's Marsh.

The arrangement, at the different depôts, for the conveyance of rations and stores to the parties employed, will be undertaken by Mr. Scott, Mr. Wedge, and Mr. Sharland; and as the leader of each party will be a respectable individual, he will keep a ration-book, in which he will insert his own name, and the names of all his party, which, on his presenting at any of the depôts, stating the quantity required, the respective storekeepers will issue the same, taking care that no greater quantity than seven days' supply, consisting of the following articles per diem, viz. 3 oz. of sugar, $\frac{1}{2}$ oz. tea, 2 lbs. flour, and 1 $\frac{1}{2}$ lb. of meat, for each person, shall be issued at one time to any party.

26. The inhabitants of the country generally are requested not to make any movements against the Natives within the circuit occupied by the troops, until the general line reaches them, and the residents of the Jordan and Bagdad line of road will render the most effectual assistance by joining Captain Wentworth's force while yet on the Clyde.

27. The assigned servants of settlers will be expected to muster provided each with a good pair of spare shoes, and a blanket, and seven days' provisions, consisting of flour or biscuit, salt meat, tea and sugar; so also prisoners holding tickets of leave; but these latter, where they cannot afford it, will be furnished with a supply of provisions from the government magazines.

28. It will not be necessary that more than two men of every five should carry fire arms, as the remaining three can very advantageously assist their comrades in carrying provisions, &c.; and the Lieutenant-Governor takes this opportunity of again enjoining the whole community to bear in mind, that the object in view is not to injure or destroy the unhappy savages, against whom these movements will be directed, but to capture and raise them in the scale of civilization, by placing them under the immediate control of a competent establishment, from whence they will not have it in their power to escape and molest the white inhabitants of the Colony, and where they themselves will no longer be subject to the miseries of perpetual warfare, or to the privations which the extension of the settlements would progressively entail upon them, were they to remain in their present unhappy state.

29. The police magistrates and the masters of assigned servants will be careful to entrust with arms only such prisoners as they can place confidence in; and, to ensure regularity, each prisoner employed will be furnished by the police magistrate with a pass, describing the division to which he is attached, and the name of its leader, and containing the personal description of the prisoner himself.

By his Excellency's Command.

J. Burnett.

(Enclosure No. 6.)

BY His Excellency Colonel *George Arthur*, Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies.

A PROCLAMATION.

WHEREAS by my Proclamation bearing date the 1st day of November 1828, reciting (amongst other things) that the black or aboriginal Natives of this island had, for a considerable time, carried on a series of indiscriminate attacks upon the persons and property of His Majesty's subjects, and that repeated inroads were daily made by such Natives into the settled districts, and that acts of hostility and barbarity were there committed by them, as well as at the more distant stock runs, and in some instances upon unoffending and defenceless women and children; and that it had become unavoidably necessary, for the suppression of similar enormities, to proclaim Martial Law in the manner thereafter directed, I, the said Lieutenant-Governor, did declare and proclaim, that from the date of that my Proclamation, and until the cessation of hostilities, Martial Law was, and should continue to be in force against the said black or aboriginal Natives within the several districts of this island, excepting always the places and portions of this island in the said Proclamation aftermentioned: And whereas the said black or aboriginal Natives, or certain of their tribes, have of late manifested, by continued repetitions of the most wanton and sanguinary acts of violence and outrage, an unequivocal determination indiscriminately to destroy the white inhabitants whenever opportunities are presented to them for doing so: And whereas, by reason of the aforesaid exceptions so contained in the said Proclamation, no Natives have been hitherto pursued or molested in any of the places or portions of the island so excepted, from whence they have accordingly of late been accustomed to make repeated incursions upon the settled districts with impunity, or, having committed outrages in the settled districts, have escaped into those excepted places, where they remain in security: And whereas, therefore, it hath now become necessary, and because it is scarcely possible to distinguish the particular tribe or tribes by whom such outrages have been in any particular instance committed, to adopt immediately, for the purpose of effecting their capture if possible, an active and extended system of military operations against the Natives generally throughout the island, and every portion thereof, whether actually settled or not.

Now, therefore, by virtue of the powers and authorities in me in this behalf vested, I, the said Lieutenant-Governor do, by these presents, declare and proclaim, that from and after the date of this my Proclamation, and until the cessation of hostilities in this behalf shall be by me hereafter proclaimed and directed, Martial Law is and shall continue to be in force against all the black or aboriginal Natives within every part of this island, (whether exempted from the operation of the said Proclamation or not,) excepting always such tribes, or individuals of tribes, as there may be reason to suppose are pacifically inclined, and have not been implicated in any of such outrages: And for the purpose aforesaid, all soldiers and other His Majesty's subjects, civil and military, are hereby required and commanded to obey and assist their lawful superiors in the execution of such measures as shall, from time to time, be in this behalf directed to be taken. But I do, nevertheless, hereby strictly order, enjoin and command, that the actual use of arms be in no case resorted to, by firing against any of the Natives or otherwise, if they can by other measures be captured; that bloodshed be invariably checked as much as possible; and that any tribes or individuals captured, or voluntarily surrendering themselves up, be treated with the utmost care and humanity; and all officers, civil and military, and other persons whatsoever, are hereby required to take notice of this my Proclamation, and to render obedience and assistance accordingly.

Given under my hand and seal at Arms, at the Government House, Hobart Town, this first day of October, in the year of our Lord One thousand eight hundred and thirty.

George Arthur. (L. s.)

By his Excellency's Command.

J. Burnett.

GOD SAVE THE KING!

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MILITARY OPERATIONS AGAINST THE

(Enclosure No. 7.)

MEMORANDUM.

Sorell Camp, 20th November 1830.

1. THE increasing boldness of the Native Tribes, and the frequency of their insidious attacks upon the more unprotected settlements, having caused great loss of life and a general panic amongst the residents in the interior, it became necessary to adopt a strong measure in order to restore the security which the inhabitants of the country daily saw themselves losing. Experience had shown that any attempt to conciliate and reform the aboriginal inhabitants, while totally cut off from all but hostile intercourse with the white residents, and while living in habits so utterly incompatible with the interests and customs of civilized man, would be vain and hopeless; and it was evident that nothing but capturing and forcibly detaining these unfortunate savages, until they, or at least their children, should be raised from their original rude barbarism to a more domestic state, could now arrest a long term of rapine and bloodshed, already commenced, a great decline in the prosperity of the colony, and the eventual extirpation of the aboriginal race itself.

2. The mode which had for the last two years been adopted for expelling the Natives from the settled districts, or preventing their hostile incursions, by the establishment of military posts, or for capturing them by means of a few parties who were made to rove incessantly in the districts where they were likely to be found, had proved quite unavailing as a general security. The total want of information as to the situation of the tribes at any particular time; the facility and rapidity with which they moved to some secret hiding place, after committing any atrocity, which they had only attempted when sure of success, rendered pursuit on such occasions in most instances fruitless, for the rugged and woody nature of the country in which they always took refuge was sure to baffle any attempt to trace them in their course.

3. It therefore appeared that the only remaining means of remedying the evil, with a due regard to humanity towards the Natives, was to drive them to a peninsula in which they could be confined by a small force occupying its isthmus, and then to induce them to surrender themselves without bloodshed. To effect this, it would be necessary to beat the bush in a systematic manner, enclosing and gradually urging on towards Forrestier's and Tasman's Peninsulas those tribes which infested the central and south-eastern portions of the colony, leaving those on the north for after operations, which could not with so small a force be undertaken simultaneously.

4. As the strength in troops was quite unequal to an undertaking on so extended a scale, it became necessary to call upon the inhabitants to rise "en masse," and to enrol themselves for this particular service under leaders which the Government should nominate. The call was answered (indeed it had long been desired by the public) with the most zealous and cheerful alacrity; and a large proportion of the inhabitants of all classes came forward. The settlers brought as many of their convict-servants as they could, without great loss, spare from their farms. Prisoners holding tickets of leave were called into the field or furnished substitutes, and the whole were mustered by the police magistrates of the respective districts.

The total force amounted to about 2,200 men, 550 of whom were troops of the 63d, 57th and 17th regiments; and they were formed into three divisions, under the orders of Major Douglas of the 63d Regiment, Captain Wentworth of the 63d Regiment, and Captain Donaldson of the 57th Regiment; these divisions were subdivided into corps, which were placed under the command of military officers, and which were again told off in parties of 10 men, each of which had its leader; the whole was commanded by the Lieutenant-Governor in person. The mode of advancing was in extended order, each party keeping its proper course and distance from its neighbours, as well as the nature of the country would admit, in which they were assisted on the advance by the discharge of musketry, by bugles, and by every party repeatedly calling out its number, by which the adjoining parties knew whether they were relatively in proper position. The officers of the Survey Department superintended the direction of the marches, and the provisioning of the troops. In the early parts of the operations, as the line occupied by the troops was 120 miles in extent, the advance was extremely difficult

difficult to be effected with uniformity, but the excellent spirit of the parties, and the attention which they paid to the orders which they received, rendered the movements much better executed than could have been anticipated.

5. On the 7th of October, which was the day fixed for the commencement of operations, a chain of posts, extending from St. Patrick's Head, on the Eastern Coast, along the Rivers St. Paul's, South Esk, Macquarrie, Lake and Meander, and another series of detachments extending from the Derwent, above New Norfolk, up the course of the River Dee to the Lakes, advanced, the former towards the south, the latter towards the east; and on the 12th October the whole force occupied the positions as shown by the Plan; Captain Donaldson's division extending from Lake Sorell to Lake Echo; Major Douglas's from Waterloo Point to the Clyde; Captain Wentworth's from the latter point where Major Douglas's right rested, to Hamilton, on the same river, and thence across the Dromedary to Murdock's on the Jordan; this last forward position of his right having been necessary in order to cut off the Natives from retreating to the more inaccessible summits of the Dromedary.

From this position the forces, with the exception of Captain Donaldson's division, which remained in position as a second line to debar the escape of any Natives who might pass the first, advanced on the 14th October, and as they were now in a somewhat connected line, they were enabled to command the ground over which they moved, so as to prevent the Natives from passing through the cordon unobserved. On the 24th they took up a position of about 30 miles in extent, from Prosser's Bay to the village of Sorell, where the right rested, and, as the country then in front was of a very difficult description, it was not judged prudent to risk the escape through the line of the tribes which had been successfully enclosed; a risk which would certainly be incurred should the whole force advance any further through the forests, so tangled as to prevent the parties from keeping up their connection.

That the advance of the forces had effectually hemmed in the two worst tribes which had infested the settled districts was about this time satisfactorily shown, by the circumstance of a small party, under Mr. Walpole, while examining the country to the front, having fallen in with a large body of Natives who were hunting; he watched them until they hutted themselves for the night, and in the morning he and his party rushed in upon them, capturing two, and in the scuffle shooting two others; the remainder, about 40 or 50, immediately saved themselves by flight into thickets, whither it was impossible to follow them. One of the captives belonged to the Big River Mob, as it is termed, and the other to the Oyster Bay Mob; and they declared, that those two tribes, which have always shown themselves to be the most blood-thirsty, had coalesced, and were then united. It was most unfortunate that so good an opportunity of surrounding and seizing these Natives should in this manner have been missed, as the spot where they were discovered was sufficiently near the lines to have admitted of a large force being that night marched upon the point where the natives lay encamped in fancied security. This event, and the nature of the country, as already described, led to the determination to continue in the position taken up on the 24th October, and to send within the circle a sufficient force, in roving parties, to discover and capture the Natives who lurked in those haunts. To effect this without too much weakening the posts, it became necessary to call Captain Donaldson's division down from the Lakes, and that force joined the camp on the 1st November. During the interval the Natives made repeated efforts to burst through the line, and on one occasion they speared a sentry, and twice their weapons pierced the caps of men who had advanced a few hundred yards in front of the position.

The greatest vigilance was observed, both night and day, to prevent the escape of the crafty foe; a double line of enormous fires was kept up, and every third man was on sentry, while the remainder stood to their arms several times in the course of each night, as the alarms caused by the Natives hovering near the line were repeated.

The arrival of the reinforcement enabled 400 men to scour the country down to the Isthmus; this occupied from the 2d to the 6th November. The weather was most unfavourable, and no single party discovered any traces of the Natives; but shortly afterwards an assemblage of their huts was discovered in the midst of an almost impervious thicket. The roving parties were again sent in, and they searched these thickets as carefully as possible, but still without success; strong

parties with axes were now sent into the interior of the circle, and, under the direction of the officers of the Survey Department, new lines through the forests were opened out for the forces to halt on during the general and final advance, which became necessary, for the roving parties had proved quite insufficient to discover the retreats of the savages; and as the great loss and inconvenience which the volunteers began to sustain by so protracted an absence from their homes rendered it impossible to keep the force together any longer, it was determined to move the whole body, in the same order as before, down to the Isthmus, with the additional precaution of moving the roving parties, which were now formed into a distinct corps, and placed, under the orders of Captain Moriarty, R.N., over the ground across which the general line was to advance, the direction of march of the one being perpendicular to that of the other, and the movement of the light corps preceding by some hours the advance of the line, by which means all parts of the country would be *cross-scoured*.

About this time a general discouragement took place, from the circumstance of no Natives having been for some days seen in front, which induced the belief that they had escaped through the sentries unobserved.

Intelligence was at the same time received that a tribe had made its appearance on the "Ouse," and that several attacks on huts had been made by a small party of Natives near the rear of the forces. This intelligence served to confirm the belief which many entertained of the Natives having escaped. Just at this conjuncture, however, they suddenly reappeared at several points within the lines, and were traced with great facility by one of the two blacks who had been recently captured.

The forces are now, therefore, moving forward in full hopes of success, and they will reach the Isthmus on Thursday next.

— No. 10. —

COPY of a DESPATCH from Lieutenant-Governor *Arthur* to Secretary
Sir *George Murray*.

Van Diemen's Land, Government-house,
1st January 1831.

Sir,

WITH reference to my Despatch of the 20th November last, I regret to report that the measures which I had the honour to lay before you terminated without the capture of either of the Native Tribes; but there is reason to believe, from the comparative forbearance which the savages have since observed, that the late decisive operations of the Government, and of the community generally, have had the effect of deterring them in a great measure from their usual aggressions; and indeed a party of 13, from two of the most hostile tribes, including three chiefs, have lately peaceably come in and sought protection, and there are grounds for anticipating that others will follow their example. I cannot hope, however, that they will generally desist from destroying the settlers and their property unless the most vigorous measures be continued on the part of the Government, in co-operation with the inhabitants. You may, however, be assured, that although I feel the necessity of carrying on the decisive measures which the safety of the inhabitants demands, I shall not relax in resorting to every practicable means of endeavouring to conciliate these deluded beings, which it is no less my anxious desire than it is the wish of His Majesty's Government to effect.

However tranquil and prosperous we may be in all other respects in this Colony, I can well imagine that your anxiety will be great upon this interesting subject, and it will doubtless, therefore, be satisfactory to you to be informed, that it has been a most gratifying proof of the confidence which the inhabitants of the Colony place on the measures of the local government, that, notwithstanding the partial failure of the late attempt to capture the Natives, I have received addresses from the people from all quarters, and which have originated, not with those from whom the government might expect, more especially, to receive support, but from the people indiscriminately, expressive of their grateful sense of the

the protection which the government has evinced its readiness to extend to them, and pledging themselves to give their assistance and co-operation whenever, and in whatsoever manner they shall be called upon to afford them.

I have the honor to be, Sir, &c. &c. &c.

(signed) *George Arthur.*

— No. 11. —

EXTRACT of a DESPATCH from Viscount *Goderich* to Lieutenant-Governor *Arthur*; dated Downing-street, 17th June 1831.

"I HAVE had the honor of receiving your Despatch of the 20th November 1830, containing your answer to that addressed to you by Sir George Murray, and your report of the measures you had been compelled to adopt towards the Native Tribes; the result of which I have also learnt by your subsequent Despatch of the 1st of January last.

"The employment of force being indispensable, the plan of driving the Natives into the Peninsula, at the extremity of the island, seems to me to have been well calculated to afford the necessary security to the colonists for their lives and property, with the least possible injury to the unhappy beings whom you were forced to treat as enemies. The unsuccessful issue of the operations undertaken for this purpose is therefore greatly to be regretted, though, considering the difficulties with which you had to contend, a different result was rather to be hoped than expected. I shall await with some anxiety further accounts of what has taken place. Although the surrender of some individuals shows that your operations have not altogether failed in their object, but have inspired the Natives with no little dread of your power, yet it will be, I fear, hardly sufficiently strong to conquer the spirit of animosity, and the love of plunder, which seems to have grown up amongst them. In this unhappy state of things, it is most satisfactory to me to be enabled to rely so implicitly upon your energy under every emergency, as well as on your humanity, towards a race entitled by the wrongs which they have suffered to much forbearance, even while it is necessary to repel their attacks. The confidence reposed in you by all classes of the inhabitants will enable you to turn to the best account the resources of the Colony, and is the just reward of the zeal and ability which have distinguished your administration of its affairs."

— No. 12. —

COPY of a DESPATCH from Lieutenant-Governor *Arthur* to Secretary Sir *George Murray*.

Van Diemen's Land,

Sir,

Government-house, 12th February 1831.

I HAVE the honour to report, that since I addressed to you my Despatch of the 1st January last, although the Native tribes, against whom the measures of the Government had been chiefly directed, have not committed any aggressions, I regret to state that the tribes on the north side of the island have renewed their violence, and committed several murders.

Mr. Robinson having returned from his conciliatory mission, the Aborigines Committee have been attentively engaged in receiving his communications, and have drawn up a Report of the future measures which they recommend for the protection of the community, and the preservation of the Natives. It has not yet been in my power to lay the Report before the Executive Council, but I shall take an opportunity of doing so early next week, and shall have the honour of reporting to you by the next vessel the measures which I shall decide to adopt. In the mean time, I transmit a copy of the Committee's Report for your information.

I have the honour to be, Sir,

Your most obedient and most humble servant,

(signed) *George Arthur.*

REPORT of the ABORIGINES COMMITTEE.

Committee Room, Hobart Town,
4th February 1831.

Sir,

IN consequence of the return of Mr. G. A. Robinson from his conciliatory mission to the Aborigines of this island, and his Excellency the Lieutenant-Governor having expressed his desire that the Committee appointed for this especial purpose should re-assemble, and resume its sittings : in obedience to this command, the Committee did meet from time to time, and have the honour now to submit the following Report on those points to which their attention was directed by his Excellency, and also on the subject of your two letters of the 1st and 3d instant, which they have the honour to acknowledge, and upon which they are required to give their opinion for the information of the Government.

The first subject of their inquiry was, to ascertain how far Mr. Robinson had succeeded in the main and principal objects of his mission, viz. the opening an amicable intercourse and friendly communication with the whole of the black population of this island. The Committee feel great pleasure in testifying their opinion, that Mr. Robinson has, in a great measure, accomplished this object, and that, in so doing, he has manifested the most daring intrepidity, persevering zeal, and strenuous exertion. He appears to have acquired a competent knowledge of their language, enabling him to converse with them, and to explain the kind and pacific intentions of the government and the settlers generally towards them.

Mr. Robinson appears also to have gained the confidence of the Natives to such an extent that several of the most hostile class have put themselves under his protection, and he feels confident of the possibility of effecting the voluntary removal of the entire black population, which he is of opinion is not more than 700 in number, in the course of two or three years, holding out to them inducements of food and clothing, and a country where, under the protection of the government, they will be secure from the aggressions of the sealers and bushrangers, and no restraints imposed on their amusements and sports of the chase.

This circumstance leads to the second subject for the consideration of the Committee, viz. the selection of the most eligible place for the immediate formation of an establishment to receive those that have been taken, and for the future reception of the whole of the Aborigines. The Committee have anxiously endeavoured to procure the best possible information with regard to the different islands in Basses Straits, and, after mature deliberation, they are unanimous in the opinion that "Gun Carriage Island," situated between Great Island and Cape Barren, and about 11 leagues distant from the Main, possesses more advantages than any other island or place whatever for such an establishment. There is excellent anchorage for vessels, and it is well supplied with wood and water. It is about two miles long, and a mile and a half wide, and is surrounded by several islands of the same extent. The Natives will be enabled to pass over to Cape Barren for the purposes of hunting, but as it does not abound with game, they will return to the establishment, where they will always find food and clothing, &c., the island also abounds with mutton birds, and also the surrounding coast with shell fish, their favourite food.

The Committee are of opinion that it would be better to form the establishment on this island than to place them in any situation where restraint would require to be imposed ; as they conceive, from the nature of their habits, and other circumstances, the Natives would soon feel discontented and pine away.

To Gun Carriage Island, therefore, the Committee recommend the immediate removal of those Natives who have committed themselves to the guardianship and protection of Mr. G. A. Robinson, and that a government vessel be immediately dispatched, under the command of some intelligent officer, accompanied by Mr. Robinson, equipped with all the necessary stores, &c., together with a small military guard for the protection of the Blacks, and more especially their women, from the aggressions of the sealers and whalers, for the purpose of conveying the whole of the Natives to this place that are now on Swan Island or elsewhere.

It will be necessary to remark here, that this island, and those around it, are much frequented by the sealers, whalers, and also runaway convicts ; the Com-

mittee,

mittee, therefore, recommend that such sealers, &c. &c., as are now living on these islands, be ordered to remove forthwith, and that no vessels or boats be allowed to navigate these Straits for the purposes of sealing or whaling, without a license from the Government; and for the proper regulation of this trade, and for the most desirable object of apprehending those convicts who have, or may in future, effect their escape, the Committee are of opinion that a small armed vessel in these Straits appears to be essentially necessary, and is a measure which they would strongly recommend to the consideration of the Government.

This vessel may also be made available in conveying supplies and stores, &c. to the establishment.

As the removal of the Natives to Maria Island has been brought under the notice of the Committee, as a temporary measure, they feel it incumbent on them to state their objections to this island as an establishment for the Natives.

The first and insuperable objection is its being a penal settlement; and to this must be added the circumstance of the necessity of the contiguity of the two establishments, there not being fresh water in any other part of this island. Waving, however, this objection, still the island is so near to the main land as to hold out constant temptation to escape, which they could accomplish with the greatest facility. The safe custody and civilization of these people being the great objects of the establishment, the Committee cannot recommend Maria Island for this purpose to the Government. Another great objection to Maria Island is, its not affording any harbour or safe anchorage for vessels which must necessarily be sent there with supplies.

During this inquiry, the Committee, at one period, were induced to think favourably of King's Island as an eligible situation for the establishment; but having very maturely considered all the advantages, together with all the objections, they are led to the conclusion, from the circumstance of the very great difficulty of approaching it, in consequence of the strong prevailing westerly winds, and entertaining doubts as to the security of a good harbour and safe anchorage, that it is not calculated for the object in view, and cannot, therefore, recommend it to the Government.

The Committee have now to state their opinion as regards the best means of protecting the settlers from the aggressions of the hostile tribes. To this subject the Committee have given great attention, and they are unanimously of opinion that the best measures which can be adopted towards the Aborigines are those which have already been so successfully pursued by Mr. G. A. Robinson; and they, therefore, recommend that an assistant should be immediately appointed, who should proceed with Mr. Robinson to Gun-Carriage Island, and, as soon as Mr. Robinson shall have seen the Natives comfortably settled, he shall renew his mission to the hostile tribes, and endeavour if possible to open a communication with them, and induce them to join the establishment at Gun-Carriage Island.

The Committee, however, recommend, in the meantime, for the protection of the distant settlers and stock-keepers, that parties of armed men (four in number) should be stationed in the most remote stock-huts, with certain instructions as to their manner of proceeding and general line of conduct. They cannot recommend the measure of continuing the roving parties, as they are of opinion that they have afforded no protection to the settlers, and have only tended to increase the hostility of the blacks, and, therefore, have not answered the objects of the Government.

The last point to which the attention of the Committee has been called, is the claim of Mr. G. A. Robinson on the Government for the services he has performed. The Committee are unanimously of opinion that, at the extreme hazard of life and health, and foregoing every social comfort and family enjoyment, he has done his duty; and they therefore respectfully recommend that Mr. G. A. Robinson should be allowed a salary of 250 *l.*, to commence from the date of his appointment to this mission, and the further sum of 100 *l.* as a free gift from the Government for his important services in the cause of humanity.

The Committee cannot close their Report without adverting to the Colonial Secretary's letter of the 3d instant, enclosing several communications detailing the renewed aggressions of the Natives in the interior, and they regret extremely to find that they have again commenced hostilities; they cannot, therefore, too

strongly impress upon His Excellency the necessity of carrying into effect the measures they have recommended, if approved, with the least possible delay.

We have, &c.

(signed)

Jocelyn Thomas, Chairman.

W. Bedford.

James Norman.

P. A. Mulgrave.

J. Scott.

Samuel Hill.

John Bunnett, Esq.
Colonial Secretary.

Charles Arthur, Secretary.

— No. 13. —

COPY of a DESPATCH from Lieutenant-Governor *Arthur* to
Secretary Sir *George Murray*.

Van Diemen's Land,
Hobart Town, 4th April 1831.

Sir,

WITH reference to my Despatch of 12th February last, enclosing a Report of the Aborigines Committee, I have the honour to transmit an extract of the Proceedings of the Executive Council, containing its advice upon the measures which the Committee recommend with regard to the Natives.

2. You will perceive that the Council unanimously advise the adoption of the recommendation of the Committee, that the 34 Natives whom Mr. Robinson had induced to follow him to Swan Island, should be removed to Gun-Carriage Island, which is situated in Basses Straits, about 11 leagues from the Main, or on some other island which, on examination, might be found more eligible for the purpose, and there be supplied with food and clothing; and that the majority of the Council further advise, that Mr. Robinson should resume his mission to the Native tribes; and that other respectable persons, properly qualified for the undertaking, should be employed in the same manner, to act in unison, and co-operating with him, with a view to conciliate others of the hostile Natives, and endeavour to induce them to go voluntarily to the establishment in the Straits, and there place themselves under the protection and care of the Government. But, upon this point, the Chief Justice does not coincide in opinion with the other Members, and does not recommend the adoption of measures tending to induce the Natives in tribes to consent to expatriation. He rather recommends that we should still strive to negotiate with them, and that it should be proposed to them to allow an European agent to reside with or accompany each tribe, which agents would serve the double purpose of protecting the Natives, and of checking any disposition towards hostility on their part. The Council further advise, that the roving parties employed against the Natives should be discontinued, and that small parties of military should be stationed at the remote stock-huts in the interior for the protection of the settlers.

3. As no time was to be lost in removing the 34 Natives from Swan Island, where there was no water, to Gun-Carriage or some other island in the Straits, I have dispatched a small cutter for the purpose. Mr. Robinson has proceeded in the vessel with the Natives who accompanied him round the island, and such as have, from time to time, been captured; and his instructions are, as soon as those on Swan Island are removed and placed in security, to visit the islands in the Straits to require the sealers to give up the Native women whom they have forcibly carried away, and to place these women in safety with their countrymen at the intended Aboriginal Establishment on Gun-Carriage Island. When the establishment shall have been formed, Mr. Robinson will undertake another mission to the hostile tribes upon the plan he has so successfully adopted, viz. approaching them unarmed in company with a few friendly Natives, explaining to them in their own language the amicable intentions of the Government, and offering food and clothing, and protection from injury, on condition of their being peaceful and inoffensive,

sive, or of their going to the Aboriginal Establishment. By these means, and by conforming to their customs and habits, this zealous and persevering individual appears confident that he shall so ingratiate himself with the Natives as to be able to induce them to accompany him, and to remain upon the island where the establishment will be formed without exercising actual restraint, the appearance of which, in his intercourse with the Natives, he has been cautious to avoid.

4. As it appeared to me most important to mark in an especial manner the consequence which the Government attaches to well-directed exertions to conciliate the Natives, I have adopted the recommendation of the Committee in allowing to Mr. Robinson, subject to your approval, a salary of 250*l.* per annum from the date of his appointment to the mission, and so long as he shall be retained in charge of the establishment, with a gratuity of 100*l.*; which, indeed, from his long absence from his large family, was only an act of justice; and I have further granted to him 2,560 acres of land, free from restrictions; and in the hope of inducing others to come forward in the same cause, the Government Notice, copy of which I have the honor to enclose, was issued.

5. I regret to report that since my last communication on this subject, several murders have been perpetrated by the blacks, without, as far as can be ascertained, any provocation whatever; but I coincide with the Chief Justice, that as, contrary to the most sanguine expectation, an individual has at length been found, in the person of Mr. Robinson, who has had the boldness, totally unarmed, to seek out, approach, and at length confer with the Natives, and has induced some of the most hostile to accompany him to Swan Island, a hope may be entertained that others may be conciliated and induced to follow the same course; but, with reference to the experience we have already had of the instability of these savages, and attaching much importance to Mr. Robinson's opinion, that the chiefs have but little influence over their tribes, and that he does not think they could deter them from the commission of fresh atrocities, or that any dependence could be placed in the observance of any treaty, even if they could be induced to enter into it, I rather incline to coincide with the other members of the Council, that they should be drawn by every mild excitement to resort to the Aboriginal Establishment at Gun-Carriage Island; for, even if they should pine away in the manner the Chief Justice apprehends, it is better that they should meet with their death in that way, whilst every act of kindness is manifested towards them, than that they should fall a sacrifice to the inevitable consequences of their continued acts of outrage upon the white inhabitants.

6. I have caused such temporary accommodation as the military have themselves been enabled to construct, with the assistance of a few convict mechanics, to be erected at the most remote districts; and, in accordance with the advice of the Council, founded upon the recommendation of the Committee, the military outposts will be maintained throughout the winter, and small parties detached from them for the protection of the most exposed settlers. This employment of the soldiers is exceedingly harrassing, and to you, Sir, I need not add, very destructive to the internal economy of any troops, but I hope no precaution is omitted which may tend to maintain their discipline, or prevent that contamination which may always be apprehended from their being placed in circumstances tending to promote the least intercourse with convicts.

7. Our continued warfare with these miserable savages must continue to be a subject of anxious consideration, but His Majesty's Government may be assured that there is a most sincere disposition on the part of the constituted authorities, as well as of the inhabitants generally throughout the Colony, to embrace every opening for conciliation.

I have the honour to be, Sir,

Your most obedient humble Servant,

(signed) *George Arthur.*

(Enclosure No 1.)

EXTRACT of the MINUTES of the Executive Council, 23d February 1831.

Present:—His Excellency the Lieutenant-Governor ; His Honour the Chief Justice ; the Colonial Secretary ; and Lieutenant-Colonel Logan.

With reference to the Minutes of the Council of the 30th November last, when the Lieutenant-Governor brought under consideration the further measures deemed necessary for the protection of the Settlers against the Aboriginal Natives, his Excellency now submitted, for the opinion and advice of this Council, the Report of the Aborigines Committee, dated 4th February 1831, detailing the proceedings of Mr. G. A. Robinson on his conciliatory mission to the Native Tribes.

By this Report it appears that Mr. Robinson has acquired a sufficient knowledge of their language to enable him to converse with and explain to the Natives the kind and pacific intentions of the government and the settlers generally towards them. Mr. Robinson appears also to have gained the confidence of the Natives to such an extent that several of the most hostile chiefs have put themselves under his protection, and he feels confident of the possibility of effecting the voluntary removal of the entire black population, by holding out to them the inducements of food, clothing, and protection of the government from the aggressions of sealers and bushrangers. And with a view to the immediate formation of an establishment for the reception of the 34 Aborigines already under the protection of the government at Swan Island, and of any others who may desire to avail themselves of it, the Committee recommends Gun-Carriage Island in Bass's Straits (and which is about eleven leagues from the main land), to be selected for that purpose, and suggests that a government vessel be immediately dispatched, with the necessary stores and a military guard, under the superintendence of Mr. Robinson, for the purpose of conveying to that place the Natives now at Swan Island or elsewhere. The Committee also recommends that a small armed vessel should be stationed in the Straits for the protection of this establishment against the sealers, whalers, and runaway convicts, who resort to Gun-Carriage and the other islands adjacent to it, and also for the purpose of transporting supplies and stores to the establishment. The Committee also submit that the best method of protecting the settlers is to continue the conciliatory measures so successfully adopted by Mr. Robinson, and recommends the appointment of an assistant, who should proceed with him to Gun-Carriage Island, and that Mr. Robinson should, as soon as practicable, renew his mission to the hostile tribes to induce them to join the establishment at that island. In the mean time, the Committee recommends that small armed parties should be stationed in the most remote stock-huts, but that the roving parties should be discontinued.

Read the Minute of Council of 30th November last, and Mr. Robinson's Journal of the 12th inst., also a letter from Mr. J. Welsh, the harbour-master at Launceston, dated George Town, 10th February 1831, reporting his return on the previous day from Swan Island, having left the 34 Natives well, and contented. He reports the want of water at Swan Island in sufficient quantities for the use of these people, and recommends their immediate removal to some other island in the Straits where that necessary article will be found in greater abundance. Read a letter from the Commandant at Launceston, dated 14th inst., making a similar report and recommendation.

Mr. Robinson was called in and examined at great length by the Council. From the information he had obtained from the Settlers and Natives, he was of opinion that all the tribes of Aborigines did not exceed 700 persons, and that they are divided into various tribes under chiefs occupying particular districts. He states that he can confer with them, as he knows some of them by name, particularly in the tribes about Macquarrie Harbour and Port Davey. In his opinion it would require three years for him to communicate with every tribe before their final removal from the main land, the difficulty of approaching them being so great as sometimes to occupy several weeks even after knowing the exact place of their resort. He thinks the power of their chiefs is sufficient to control a tribe so long as the chief is present, but not otherwise. He does not think the Natives could now be induced to retire altogether from the settled districts, and occupy the unlocated parts of the island,

or

or that a negotiation to that effect could now be accomplished through their chiefs; nor could the Natives be restrained from attacking the white people, or be bound to confine their excursions to the unsettled parts of the island, even if arrangements were made by the government through their chiefs to secure them in such situations from the encroachments of the settlers and stock-keepers. If their chiefs were to promise to conform to such arrangements, and to engage themselves to prevent further aggressions on the part of their tribes, he does not think the promises would be attended to by the tribes, as the chiefs have not sufficient power over them to enforce obedience. Such arrangements might be made, but it would require a very long time; he thinks the Natives would not for a long time permit white people to reside constantly with them, although it should be explained to them that the government would send to the different tribes a respectable person as agent, whose duty would be to protect them from bush-rangers and stock-keepers, and escort them safely from one district to another, and enable them to make known their wants and complaints to the government, and negotiate for them whenever it might be necessary. In time, he thinks, they might permit it, and such a plan might have been adopted before their women and children were destroyed by the whites; but he fears it would be difficult now. He is opinion the Natives are fully aware of the pacific disposition of the government towards them, but are now afraid to show themselves near the towns on account of the soldiers and stock-keepers. He states it to be his opinion that there are some few tribes of Natives to the westward who have never been at war with the whites, and who would gladly receive government agents to reside amongst them, to instruct and protect them. He is aware that the Natives can distinguish between stock-keepers and settlers, and attack the latter, although they are conscious of not having received an injury from them. He has heard them boast with much pleasure of the murders they have committed on the whites, and has known them to be revenged on particular persons for inflicting injuries on them. Mr. Robinson is of opinion that the Natives generally would not object to be removed to an island in Basses Straits, and he thinks it would be humane policy towards them, as he feels satisfied the government can never sufficiently protect them from the outrages the sealers and runaway convicts inflict upon the tribes, especially the women. From all the information he has obtained, and from his personal inspection of some of the islands, he is of opinion Gun-Carriage Island is better adapted for the formation of an establishment for the reception of the Aborigines than any other of the islands. If the 34 Natives now at Swan Island were removed to Gun-Carriage Island, he would, after settling them there, return to the Main, and adopt the same measures for conciliating others of the hostile tribes, and endeavour to persuade them to return with him to Gun-Carriage Island. The means for conciliating and bringing in the hostile tribes might be multiplied, if respectable persons could be found to go amongst them without arms, and would use the same means he has already practised; but he thinks there should be no military force with the Natives at Gun-Carriage Island, as the very appearance of fire-arms immediately dispels all confidence, and prevents communication with them.

Mr. Robinson is of opinion that if the Natives were placed on an island in Basses Straits they would not feel themselves imprisoned there, or pine away in consequence of the restraint, nor would they wish to return to the main land, or regret their inability to hunt and roam about in the manner they had previously done on this island. They would be enabled to fish, dance, sing, and throw spears, and amuse themselves in their usual way, and he feels confident they would accompany him to the Main and again return to the island, and endeavour to induce others to accompany them to the establishment. Mr. Robinson thinks Clarke's Island is not eligible for the establishment, there being no wood there, and the water bad. There is no bird-rookery there, or any kangaroos; the land is very bad, and the Natives would find no amusements there. He thinks Maria Island better suited for the establishment than Gun-Carriage Island, except as regards the facility of escape from it to the Main, which he thinks could not easily be overcome.

Mr. Robinson thinks, from his own observations and inquiries, that there are not more than 30 sealers on the islands in Basses Straits, and that if they were turned away by Government they would expect some compensation for their huts and gardens. They have about 25 native women residing with them, and if they

were deprived of them, he is of opinion they would abandon the Straits immediately.

Read a letter from the police magistrate at Campbell Town to the Colonial Secretary, dated 30th August 1830, enclosing two letters from Messrs. John and William Darke, offering to go amongst the Natives to induce them to follow them, or to capture them uninjured, if deem necessary.

The Council having fully considered the statements made by Mr. Robinson, and the letters read, is of opinion that it is necessary to take some immediate steps for the removal of the 34 Natives now at Swan Island to some other island in the Straits where a sufficient supply of water can be found for their use; and although the Council would rather have advised their removal to Clarke's Island, on account of its nearer vicinity to the main land than Gun-Carriage Island, yet, as it appears that Clarke's Island is unfit for the purpose, there seems to be no other alternative than to recommend the removal of the Natives from Swan to Gun-Carriage Island. At the same time the Council is of opinion that the master of the vessel to be dispatched for their conveyance, and Mr. Robinson, should, upon leaving Swan Island, again examine Clarke's Island, and if, after a careful inspection, they are both unfavourably impressed towards it, then the Natives should be placed on Gun-Carriage Island; and the master should be instructed to proceed at once to survey and diligently examine all the other islands, to ascertain whether any other of them nearer to and in view of the main land possess the necessary requisites for the establishment in the same degree as Gun-Carriage Island.

The Colonial Secretary and Lieutenant-Colonel Logan were also of opinion that it would be advisable for Mr. Robinson to renew his mission to the Native tribes, and that other persons of respectability, and properly qualified for the undertaking, should be employed in the same manner, with a view to conciliate others of the hostile Natives, and try to induce them to go voluntarily to the establishment in the Straits, and place themselves there under the protection and care of the Government.

The Chief Justice concurred with the other Members of the Council in advising the removal of the Natives from Swan Island to Gun-Carriage or any other of the adjacent islands which may be found adapted for their reception, and he advised the removal thither of such other of the Natives as may hereafter be captured during any hostile incursion made by them, and that they should be detained there until some satisfactory negotiation could be concluded with the tribes to which they belong; but he could not recommend the adoption of measures tending to induce the Natives, in tribes, to consent to expatriation and imprisonment, until the absolute necessity of such measures was clearly manifested; for, notwithstanding Mr. Robinson's opinion to the contrary, that, however carefully these people might be supplied with food, they would soon begin to pine away when they found their situation one of hopeless imprisonment, within bounds so narrow as necessarily to deprive them of those habits and customs which are the charms of their savage life; he meant their known love of change of place, their periodical distant migrations, their expeditions in search of game, and that unbounded liberty of which they have hitherto been in the enjoyment. Until Mr. Robinson had gone upon his mission, scarcely any hope had been entertained of opening an amicable intercourse with these people, but Mr. Robinson's success justified a hope that more was attainable, and before his Honor could concur in the advice of the rest of the Council, he wished it to be ascertained whether some treaty could not be made with these people, by which their chiefs should engage for their tribes not to pass certain lines of demarkation which might be agreed upon, and that it should be proposed to them to allow an European agent to reside with or accompany each tribe. He thought such agents would most materially contribute to maintain any amicable engagement of this sort which might be concluded. Up to the present moment, when aggressions had been made upon the Natives, they have not known to whom to complain, nor, had they known, could their evidence have been used to bring the offenders to justice: such agents would serve the double purpose of protecting the Natives on the one hand, and of checking any disposition towards hostility on their part on the other; and they would be constantly and usefully employed in endeavouring to reclaim the Natives from their savage state.

The Council advised the Lieutenant-Governor to discontinue the roving parties, as the measure appeared to have a bad effect upon the Natives, but, advised his
Excellency

Excellency to station small parties of military in the remote stock-huts in the interior, as the most likely means of protecting the settlers.

(Broke up at Three o'clock, P.M.)

(signed)

John Montague,
Clerk of the Council.

EXTRACT of the MINUTES of the Executive Council, 14th March 1831.

Present,—His Excellency the Lieutenant-Governor; His Honour the Chief Justice; the Colonial Secretary; and Lieutenant-Colonel Logan.

THE Lieutenant-Governor having considered, in the Executive Council on the 23d February 1831, the measures recommended in the Report of the Aborigines Committee, and having heard the statements of Mr. Robinson in the Council, and at various times out of it, and having attentively perused his report, and maturely weighed the advice of the Council in connection with the general information which has through various channels reached his Excellency respecting the character and proceedings of the Natives, it is his conclusion that the tribes to the westward (the country extending from Port Davey to Cape Grim,) may possibly be conciliated, and that some qualified persons, if such can be found, should be sent, and presents should be made to them of blankets, tea and sugar; and that all white persons should be strictly prohibited from harrassing or molesting them in any manner. The only violence to which they may be exposed, as there are no settlers in that quarter, will proceed from convicts escaping from Macquarrie Harbour, the servants of the Van Diemen's Land Company, and sealers upon the coast. Escape from Macquarrie Harbour is not very frequent, and therefore the consequences are not to be so much apprehended in that quarter; Mr. Curr will no doubt make every effort to deter the servants of the Company from harrassing the Natives; and the sealers upon the coast, it may be hoped, will be considerably controlled by the employment of one of the government vessels in the Straits.

2. As regards the tribes of Natives inhabiting the country from Cape Grim to Port Dalrymple, and those whose usual haunts are in the neighbourhood of the Clyde, the Mersey, the Shannon, and country east of the main road from Hobart to Launceston, which comprehends all the blacks who have been for three years in open hostility to the white population, and have perpetrated murders and robberies without number, and evidently with the main desire to plunder, the Lieutenant-Governor entertains no hope of establishing any permanent good understanding with them, and no measures should be delayed which are practicable to answer the pressing demands of the settlers from all quarters for protection against the atrocities of these people.

3. If the question were, whether a large body of many thousands of inhabitants should be removed from their native soil, there might be some difficulty in answering the only point upon which there is a difference of opinion in the Council; but if Mr. Robinson be at all accurate in his calculations, the Lieutenant-Governor cannot doubt the propriety as well as the policy of allowing 200 or 300 hostile Natives to be encouraged to proceed with their own consent to any island in the Straits, or other place of security, and where they will receive food and clothing, and above all, instruction in civilization. For no terms which could now be entered into with the Natives inhabiting this portion of the country could be depended upon; they would, on the one hand, be extremely prone to pass the limits prescribed for them; and, on the other, although the respectable class of settlers might be depended upon in maintaining the treaty, it would be hopeless to contemplate that it would be observed by their servants, runaway convicts, stock-keepers, and all that class of characters, who, being free by servitude, are under no special control; the aggressions of any of these would be imputed by the ignorant Natives to the white inhabitants generally, and the savage acts, which we have severely felt as the result of their indiscriminate vengeance, would soon be revived in all their horrors.

The inconsideration with which all savages act may possibly incline them, at the impulse of the moment, to follow Mr. Robinson, or any other persons acting with him, to the establishment, and if so, by all means his Excellency thinks the feeling should be instantly taken advantage of; but he is not sanguine enough to anticipate any general success in this way, although it should be attempted, seeing that some Natives have already voluntarily placed themselves under our protection.

4. Upon the whole then it would appear to the Lieutenant-Governor most proper that an embassy should be again sent to the tribes inhabiting the Western Country, and that blankets and food should be given them; and that all the Natives at Swan Island, and in possession of the government either at Hobart or at Launceston, or indeed in any other part of the Island, should be removed to some eligible Island in the Straits; that one of the government vessels should be engaged to remove them, and subsequently employed in conveying them provisions from Port Dalrymple, and when not so employed, the master should make a survey of the Straits, and control the sealers, taking from them any Native women whom they have carried away, and placing them upon the Native Establishment.

That Mr. Robinson, with any other persons who are inclined to afford their services in co-operation, should make another effort to confer with the hostile tribes, and explain the humane and kind disposition of the government towards them, with the assistance of such Natives as may be depended upon, and, if possible, negotiate with their chiefs either to proceed to the establishment, or to bind themselves to commit no further outrage on the condition of receiving food and clothing, and protection from all aggression. And whilst this attempt is in progress, as Mr. Robinson himself thinks it will assist his operations, that armed parties of military or others should be stationed in all the distant stock-huts and known passes of the Natives, with orders to intercept and capture them if possible, or at all events to prevent the commission of the acts of barbarity and outrage which have for the last three years attended all their expeditions against the white inhabitants.

The time for negotiation is peculiarly favourable, because it is evident that the Mobs who were so lately encompassed on the occasion of the general expedition have been exceedingly alarmed, and have not since committed any outrages; it is therefore highly probable that they may be more favourably disposed for conciliation than heretofore.

The Lieutenant-Governor has heard no arguments used which determine him to think that the advantages are, upon the whole, (admitting the possibility of escape), in favour of an island in the Straits over Maria Island, but he cannot hesitate to submit his individual judgment in this respect to the opinion of the Council and the Aborigines Committee; at the same time his Excellency does not regard the possession of Gun-Carriage Island by the sealers; their atrocities have been so great, and are so notorious, towards the Natives, that he should feel no reluctance in chasing them away from their unsanctioned possessions in those islands.

(signed)

John Montague,
Clerk of the Council.

(Enclosure No. 2.)

Sir,

Colonial Secretary's Office, 3d March 1831.

I AM directed by the Lieutenant-Governor to desire that you will immediately embark on board the cutter "Charlotte," with the Natives now in Hobart Town, and proceed to Swan Island, where you will receive on board the Natives at that place, and thence repair to Clarke's Island, where the establishment for the reception of the Natives is to be removed. If, however, you should consider Clarke's Island to be objectionable, you will form the establishment on Gun-Carriage Island.

You will afterwards proceed in the cutter to visit any islands in the Straits, and, if necessary, Western Port, where it is probable some Native women of Van Diemen's Land are kept by the sealers, or other white men.

You will notify to all persons whom you may find in the Straits accompanied by Native women, that the act of carrying off or detaining those unhappy people, unless

unless by their most express and unequivocal consent, is a flagrant offence, for which the parties guilty of it are punishable by law; and you will charge and require those persons, in the name of the Government, to deliver up all such women to you accordingly, to be placed by you, with the other Natives under the care of the government, at the Establishment.

If the women themselves, after your instructions shall have been fully explained to them, are not disposed to accompany you, you are not to interfere any further; but if, desiring to be removed, they are exposed to any ill-treatment, or the persons from whom you may be about to remove them offer to you any resistance, you will be justified in using force to accomplish the object; but in resorting to any such measures you must use the greatest caution, and you will take care that the degree of violence used by you is no more than shall be actually necessary.

You will use every exertion to ascertain and report to the Government the circumstances of all the cases in which these poor creatures may have been injured, either by seducing or forcibly carrying them away from the Main originally, or by subsequent acts of violence or cruelty towards them, or simply by detention against their will; the names and descriptions of the guilty parties, and the dates and places at which the several offences have been committed by them, and the accustomed names and descriptions of the women so injured, are particulars on which it will of course be important for the Government to be accurately informed, in order that warrants may hereafter be issued for the apprehension of the offenders, whom the Government is resolved, if possible, to bring to exemplary punishment.

You will also, as far as may be practicable, ascertain and report to the Government, the names and descriptions of every person (whether accompanied by Natives or not) whom you may meet with in the Straits or Islands; and if you have reasonable cause to suspect any whom you may so meet to be runaway convicts, you may apprehend all such suspected persons, and carry them back with you.

You will signify, generally, to all persons (sealers and others) whom you so meet with, that it is the determination of the Government not to permit any residence upon, or resort to, any of the islands within this government, unless by express written license to be obtained for that purpose; you will accordingly, in all cases in which it may appear to you expedient to do so, warn all persons to quit the islands, which you will point out to them are solely the property of the Crown; on which, after such notice, they are trespassers. If, after a reasonable time allowed for that purpose, they do not accordingly quit the island, you may then proceed to compel their removal, using, nevertheless, no more force or violence than the occasion may absolutely call for.

In case your authority in any of these points may be questioned, you will be prepared with proof (which you may exhibit) of your appointment as a constable, and you are at liberty to communicate the contents of these instructions as the authority on which your proceedings are founded.

I am further to desire that you will be particularly careful to address communications to me, for the information of the Lieutenant-Governor, by every opportunity.

I am, &c.

(signed) *J. Burnett.*

Mr. G. A. Robinson, Hobart Town.

(Enclosure No. 3.)

Government Notice.

Colonial Secretary's Office, Feb. 19, 1831.

THE Lieutenant-Governor having had under consideration the Report of the Aborigines Committee of the 4th instant, detailing the proceedings of Mr. G. A. Robinson on his conciliatory mission to the Aborigines, with a view of opening an amicable intercourse and friendly communication with the whole of the black population of this island, feels great pleasure in notifying, by a public order, that Mr. Robinson has, in the opinion of the Committee, accomplished in a great measure

sure the objects of his mission, and that in so doing he has manifested the most daring intrepidity, persevering zeal, and strenuous exertion.

As further measures for extending these conciliatory feelings are in course of renewal by Mr. Robinson, the Lieutenant-Governor cannot refrain from promulgating, before his departure, the sense entertained by the Government of the important services he has already performed. A salary of 250*l.* per annum will be granted to him from the date of his appointment to this mission, with a gratuity of 100 *l.*; and, as an additional inducement for promoting an object so anxiously desired, and in testimony of the approbation of the local government, the Lieutenant-Governor is further pleased to direct that a maximum grant of 2,560 acres of land, free from all conditions and restrictions, shall be made to Mr. Robinson, in the title of which grant will be fully set forth the honourable services rendered by him to the government and inhabitants of this colony.

The success which has already attended the conciliatory measures adopted by Mr. Robinson in his intercourse with the Aboriginal Natives will, it is most sincerely hoped by the Lieutenant-Governor, be the means of inducing other inhabitants to embark in the same useful cause, and it will always afford his Excellency great pleasure to reward with equal liberality any exertions which may prove as beneficial to the community, and to the Aboriginal Natives themselves.

By his Excellency's command,

J. Burnett. 1



VAN DIEMEN'S LAND.

COPIES of all CORRESPONDENCE
between Lieutenant-Governor *Arthur* and
His Majesty's Secretary of State for the
Colonies, on the Subject of the MILITARY
OPERATIONS lately carried on against the
ABORIGINAL INHABITANTS of *Van
Diemen's Land*.

Ordered, by The House of Commons, to be Printed,
23 September 1831.

AFRICANS CAPTURED:

APPRENTICED AFRICANS.

RETURN to an Address to His MAJESTY, dated 19 July 1831;—for,

COPIES of any REPORTS made to His Majesty's Government from the GOVERNORS or other proper Officers in the different SLAVE COLONIES belonging to His Majesty, respecting the State, Treatment, Employment, or complete Enfranchisement, of AFRICANS CONDEMNED to His MAJESTY, under the ACTS abolishing the SLAVE TRADE, since 16 October 1828:— Any INSTRUCTIONS given with reference to Reports of Commissioners of Inquiry, relative to the STATE of APPRENTICED AFRICANS, with any REPORTS received in consequence of those INSTRUCTIONS.

Colonial Department, }
4 October 1831.

HOWICK.

SCHEDULE.

No.

- 1.—COPY of a CIRCULAR sent to the Colonies, dated 16th October 1828 3

ANTIGUA.

- 2.—COPY of a DESPATCH from Sir Patrick Ross, dated 17th January 1829, addressed to the Right Honourable Sir George Murray (4 Enclosures) 5
3.—COPY of a DESPATCH from the Right Honourable Sir George Murray to Sir Patrick Ross, dated Downing street, 3d May 1829 9
4.—COPY of a DESPATCH from Sir Patrick Ross, addressed to the Right Honourable Sir George Murray, dated 25th May 1829 ibid.
5.—COPY of a DESPATCH from Sir George Murray to Sir Patrick Ross, dated 17th July 1829 ibid.

BAHAMAS.

- 6.—COPY of a DESPATCH from Mr. President Munnings, addressed to the Right Honourable Sir George Murray, dated 30th June 1829 ibid.
7.—EXTRACT of a DESPATCH from Sir J. C. Smyth, addressed to the Right Honourable Sir George Murray, dated 13th March 1830 (1 Enclosure) 10
8.—COPY of a LETTER from Horace Twiss, Esq. addressed to the Honourable J. Stewart, dated Downing-street, 31st August 1830 12
9.—COPY of a LETTER from the Honourable J. Stewart, addressed to Horace Twiss, Esq. dated Treasury, 17th September 1830 ibid.
10.—COPY of a DESPATCH from the Right Honourable Sir George Murray, addressed to Sir J. C. Smyth, dated Downing-street, 22d October 1830 13

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A

11.—COPY

SCHEDULE—continued.

No.

- 11.—COPY of a DESPATCH from Sir J. C. Smyth, addressed to the Right Honourable Viscount Goderich, dated 28th January 1831 (1 Enclosure) - - - - - 13
- 12.—COPY of a LETTER from Viscount Howick to the Honourable J. Stewart, dated Downing-street, 27th April 1831 - - - - - 14
- 13.—COPY of a LETTER from the Honourable J. Stewart, addressed to Viscount Howick, dated Treasury, 13th May 1831 - - - - - ibid.
- 14.—COPY of a DESPATCH from the Right Honourable Viscount Goderich, addressed to Sir J. C. Smyth, dated Downing-street, 15th May 1831 - - - - - 15

BÉRIBICE.

- 15.—COPY of a DESPATCH from Lieutenant-Governor Beart to the Right Honourable Sir G. Murray, dated 2d January 1829 (1 Enclosure) - - - - - ibid.

DEMÉRARA.

- 16.—EXTRACT of a DESPATCH from Major-General Sir B. D'Urban to the Right Honourable Sir G. Murray, dated 12th April 1829 (4 Enclosures) - - - - - 16

DOMINICA.

- 17.—COPY of a DESPATCH from Major-General Nicolay to the Right Honourable Sir G. Murray, dated 15 January 1829 - - - - - 19

GRENADA.

- 18.—EXTRACT of a DESPATCH from Sir J. Campbell to the Right Honourable Sir G. Murray, dated 1st January 1829 (1 Enclosure) - - - - - ibid.

JAMAICA.

- 19.—COPY of a DESPATCH from Major-General Sir John Keane, addressed to the Right Honourable Sir G. Murray, dated 13th December 1828 - - - - - 20
- 20.—EXTRACT of a DESPATCH from the Earl of Belmore, addressed to Viscount Goderich, dated 10th May 1831 - - - - - 21

ST. LUCIA.

- 21.—COPY of a DESPATCH from Major-General Stewart, addressed to Sir G. Murray, dated 29th January 1829 (1 Enclosure) - - - - - 22

ST. CHRISTOPHER.

- 22.—COPY of a DESPATCH from Governor Maxwell, addressed to Sir G. Murray, dated 24th July 1829 (1 Enclosure) - - - - - ibid.
- 23.—COPY of a DESPATCH from Sir George Murray, addressed to Governor Maxwell, dated Downing-street, 17th December 1829 (1 Enclosure) - - - - - 23
- 24.—COPY of a DESPATCH from Governor Maxwell, addressed to the Right Honourable Sir George Murray, dated 3d August 1830 (2 Enclosures) - - - - - 24
- 25.—COPY of a LETTER from Horace Twiss, Esq. addressed to the Honourable J. Stewart, dated Downing-street, 13th October 1829 - - - - - 26
- 26.—COPY of a LETTER from the Honourable J. Stewart, addressed to Viscount Howick, dated Treasury, 22d December 1830 - - - - - ibid.
- 27.—COPY of a LETTER from Viscount Howick, addressed to the Honourable J. Stewart, dated Downing-street, 31st December 1830 - - - - - 27
- 28.—COPY of a LETTER from the Honourable J. Stewart, addressed to Viscount Howick, dated Treasury, 2d March 1831 - - - - - ibid.
- 29.—COPY of a DESPATCH from the Right Honourable Viscount Goderich, addressed to Governor Maxwell, dated Downing-street, 2d March 1831 - - - - - 28
- 30.—COPY of a DESPATCH from Governor Maxwell, addressed to the Right Honourable Viscount Goderich, dated 6th July 1831 (1 Enclosure) - - - - - ibid.

ST. VINCENT.

- 31.—COPY of a DESPATCH from Sir Charles Brisbane, addressed to Sir George Murray, dated 26th November 1828 - - - - - 29
- 32.—COPY of a DESPATCH from Sir Charles Brisbane, addressed to Sir George Murray, dated 10th April 1829 (1 Enclosure) - - - - - ibid.

TRINIDAD.

- 33.—COPY of a DESPATCH from Colonel Farquharson to Sir George Murray, dated 29th November 1828 - - - - - 30

AFRICANS CAPTURED:

APPRENTICED AFRICANS.

COPIES of any REPORTS made to His Majesty's Government from the GOVERNORS or other proper Officers in the different SLAVE COLONIES belonging to His Majesty, respecting the State, Treatment, Employment, or complete Enfranchisement, of AFRICANS CONDEMNED to HIS MAJESTY, under the ACTS abolishing the SLAVE TRADE, since 16 October 1828:—Any INSTRUCTIONS given with reference to Reports of Commissioners of Inquiry, relative to the STATE of APPRENTICED AFRICANS, with any REPORTS received in consequence of those INSTRUCTIONS.

—No. I.—

CIRCULAR SENT TO THE COLONIES.

SIR,

Downing-street, 16th October 1828.

THE REPORTS of the successive Commissioners appointed to inquire into the condition of Apprenticed Africans in the West India Islands, have engaged the careful attention of His Majesty's Government, although, from circumstances which it is unnecessary to particularize, my predecessors in office were prevented from signifying to you the determination which has been adopted on this subject.

All the successive Commissioners are agreed in the opinion, that the Apprenticed Africans would not in general, except by direct compulsion, be induced to quit the Colonies in which they had been serving their apprenticeship; and that the use of any compulsory measure for that purpose would be attended with extreme distress to the parties more immediately affected by it. Respecting the advantage which would accrue to the Colonies from which such removals might be made, the Commissioners are not agreed. But all, except one, of the six gentlemen who were successively employed in this inquiry, deem it better that the Apprentices should remain in the Colonies which they at present inhabit.

Adverting to the various facts and arguments adduced on either side of this discussion, I am to issue, for the guidance of yourself and the Officers of Customs within your Government, the following Instructions:—

First, you will direct the Chief Officer of Customs of the Island of forthwith to transmit to you a List of all persons within the Island, who have been apprenticed under the Acts for the Abolition of the Slave Trade, distinguishing African and Creole Apprentices from each other; and further distinguishing which of the Apprentices have served out the whole term of their indentures, and what period remains to be served by each of those whose apprenticeship is yet unexpired.

You will further call upon the Chief Officer of Customs for a List of all captured Africans or Creoles remaining in his custody, for whom it has not been found practicable to find masters, and who have been apprenticed to himself, under the Order in Council of the 19th July 1825; distinguishing especially such as may be employed in his own domestic service, and further distinguishing which of them are capable of earning their own subsistence.

You will cause a general muster and personal inspection to be made in your own presence, of all the Apprenticed Africans, Negroes, and persons of colour, whose

term of apprenticeship has expired, and of all persons apprenticed to the Chief Officer of Customs, under the Order in Council of the 19th July 1825. In all cases where the terms of apprenticeship have expired, and in all other cases where any of those persons shall have been reported by the Custom House Officers, or shall appear to yourself, to be capable of earning their own subsistence, you will proceed to grant to each of them a Certificate, under your own hand and seal, of the fact that they have become entitled to Freedom under the Acts for the Abolition of the Slave Trade, and you will cancel the Indentures to the Chief Officer of Customs entered into, under the Order of the 19th July 1825. You will further apprise them, that thenceforward they will be permitted to live in the Colony, precisely on the same conditions as any other free persons of African birth and descent, subject only to the following Exception:—

The 31st section of the Statute 5 Geo. IV. cap. 113. having authorized His Majesty in Council to make all necessary Regulations for the disposal of Apprentices after the Indentures have expired or been cancelled, so as to prevent their becoming chargeable to the Colony in which they have been bound Apprentices;—you will apprise these persons, that His Majesty will not exercise the powers thus intrusted to Him by Parliament, so long as their own continued good conduct may render it unnecessary to resort to any measures of coercion. But they must at the same time be given distinctly to understand, that if within the period of seven years any of their number shall be convicted of theft or any other offence against the peace of society, or should be found seeking a subsistence as a common beggar or vagrant, or should become chargeable upon any parochial or public rates, except in cases of sickness or other inevitable accident, measures will be adopted for the removal of any such offender, pauper or vagrant from the Colony in which he is at present settled, to some other part of His Majesty's Dominions, where he will be constrained to labour for his subsistence.

A similar Certificate of Liberty, accompanied with a similar Admonition as to the consequences of possible misconduct, must be given to every condemned Negro who shall hereafter serve out the time of his apprenticeship, or who, not being apprenticed, shall be reported to you by the Officers of Customs as being capable of earning his own subsistence.

Whenever any person shall hereafter be condemned to the Crown, under the Acts for the Abolition of the Slave Trade, the Officers of the Customs must, before such person is apprenticed, report to you whether he is capable of earning his own subsistence; and no person must hereafter be apprenticed until you are satisfied of his incapacity for maintaining himself by his own labour.

You will adopt such measures as may appear to you best calculated for ascertaining, at stated intervals, the actual condition of these persons, and especially whether they really betake themselves to industrious pursuits, or become burthensome to society, as convicts, vagrants or paupers. If experience shall show the necessity of subjecting any of them to positive coercion, in order to prevent their becoming burthensome to society, His Majesty's Government will not hesitate to adopt the necessary measures for that purpose, and will either place such persons under a Superintendent, armed with necessary powers for their government, in the Colony in which they reside, or will authorize their removal to Trinidad, where an Establishment of this nature is already in existence. Until the experiment has been fairly tried, it is not deemed right that these persons should be subjected to the distress attendant upon an abrupt removal from the Colony in which they have been so long settled; nor, on the other hand, is it fit that the Public Revenue should any longer be subjected to the very serious burthen of maintaining a large body of persons, many of whom, as there seems every reason to suppose, are perfectly competent to provide for their own maintenance.

I have, &c.

(signed) *G. Murray.*

—No. 2.—

DESPATCH from Sir *Patrick Ross* to the Right Hon. Sir *George Murray*,
&c. &c. &c.

SIR,

Government-House, Antigua, 17th January 1829.

ANTIGUA.

I HAVE the honour to acquaint you, that the Instructions contained in your Circular Despatch of the 16th of October, relating to the liberated Africans and others, were carried into effect before myself and the Board of Council on the 5th and 6th of this month; and that the great expense which has been hitherto incurred by Government, has been thereby diminished to the utmost possible extent.

The accompanying Documents marked 1, 2 and 3, will distinctly explain the manner in which this duty has been performed; and it will be seen that the former average annual Expense, which amounted to above 8,000*l.* currency, will not exceed in the ensuing year the sum of 1,223*l.* 6*s.* 6*d.*, and that this will be of course gradually diminished as the aged and helpless die, and the children advance to an age at which they can earn their own livelihood.

The only branch of this Expenditure which it has been deemed expedient, and this on the score of humanity, to continue for the present quarter on the late scale, is that of the Hospital, and of the medical attendance on all such cases of sickness as may occur amongst those who have received their certificates of freedom. But as it is highly probable that a considerable proportion of the males will remove themselves from the island, as sailors or otherwise, previous to the 5th of April next, the existing contract for medical aid will then admit of a proportionate diminution; and I therefore recommend, that the moderate proposal which has been made by Dr. Musgrave, of attending and providing medicine for the next year for 200*l.* currency, shall be acceded to.

These people, naturally improvident, have been rendered, for years past, so utterly careless about the means of subsistence, that they will long find it difficult to do more than obtain by their own exertions the common necessities of life; but admitting it were otherwise, it is useless to suppose, that in cases of protracted illness, they will be possessed of the means even of sustaining life, far less of paying for medical advice. Should they, from misfortune or other causes, become afflicted with disease, they will differ very materially from the other classes of the poor in the Colony. The white paupers are provided by contract, with medical attendance, and the practitioner is empowered to order from the Churchwarden, wine, and any allowance of money he may think proper during his attendance, however protracted. The native free-coloured and blacks are surrounded by their friends, connections and former owners, from whom they very generally obtain the necessary support; but the Africans in quarters, being without connections or claim to parochial relief of any kind, would, in cases of absolute poverty, too probably die destitute in the streets. These considerations render it necessary that the recommendations I have taken the liberty to submit, should be immediately acceded to; and in the event of my not receiving your reply before the termination of the quarter ending the 5th of April, I shall not hesitate to accept the proposal for one year from that date.

No. 4 is one of the printed Forms of Certificate, which were delivered to the Africans in the presence of myself and the Council; and I am gratified in believing, that with the exceptions of perhaps six or eight notorious and incorrigible offenders of the male sex, who will probably ere long render themselves liable to removal to Trinidad or elsewhere, few of these people will be a burthen or inconvenience to the community.

As it would have been extremely difficult to conclude effectually these several arrangements without the presence and aid of Mr. Parkhurst the acting Collector, I presumed to detain that officer from his station at Barbadoes, where he has been lately appointed Comptroller, but to which he will now immediately proceed; and as I have the greatest reason to be satisfied with his zeal and exertions, I beg respectfully to hope, that he will not be permitted to suffer any diminution of his salary from the period of his appointment at Barbadoes to his arrival there.

I have the honour to be, &c. &c. &c.

(signed) *Patrick Ross.*

Enclosure 1, in No. 2.

LETTER from *B. Parkhurst*, Acting Collector, to His Excellency the Captain General, &c. &c. &c.

SIR,

Custom House, St. John's, 15th January 1829.

ANTIGUA.

IN obedience to your Excellency's commands, addressed to me on the 8th instant, I have now the honour to forward the Lists called for by His Majesty's Secretary of State for the Colonies, in his Despatch of the 16th of October last.

Your Excellency will perceive that I have embodied both the Lists required by Sir George Murray's Despatch in one Account. This Account shows the number of Africans and others who have been apprenticed under the Acts for the Abolition of the Slave Trade; also those who have served out the whole term of their indentures; and what period remains to be served by each of those whose apprenticeship is yet unexpired; also those remaining in the Collector's custody, for whom it has not been practicable to find masters, and who have been apprenticed to himself, under the Order in Council of the 19th July 1825; distinguishing especially such as have been employed in his own domestic service; and further distinguishing which of them are capable of earning their own subsistence; in addition to which, the List points out those who have received their Certificates of Freedom from your Excellency, also those who are incapable of maintaining themselves, and who now remain under the Collector's care, as pensioners on the bounty of the Crown; and the number of orphans and children who were recommended by your Excellency and Council to be supported by His Majesty's Government.

Since the completion of the 192 indentures of apprenticeship to the Collector, in October 1825, there have been returned on his hands 87, whose term of servitude had expired, making with the children of the females so returned, 154; none of these people have been indentured to the Collector, and the cause of such omission I am unacquainted with; also, 13 whose indentures have been given up by their masters, and cancelled, arising in some instances from the turbulent and refractory conduct of the apprentices, from incapacity on the part of their masters to support them, and by the recommendation of the Judge of the Vice Admiralty Court, on the grounds that both parties were so exceedingly uncomfortable and unhappy in their mutual relation of servants and masters, that he did not hesitate to advise the adoption of separating them, by cancelling the indentures. I have thought proper to put your Excellency in possession of these circumstances, for the information of His Majesty's Government.

An Abstract of the whole Number of Africans, Creoles and others, I have added at the end of this List, in order to show distinctly how they were disposed of on the 5th instant.

The List marked No. 3, contains the Names of those Persons who are now under the Collector's care, and supported by Government, with an Annual Statement of the probable expense of feeding, clothing and providing them with medical attendance and other contingencies, from the 5th of April next, at the expiration of which period the present expense will be still further reduced, as shown by the Statement alluded to.

The Average Expense for the maintenance of the Africans and others, for the last three years, amounted to 8,052*l.* 14*s.* 3*d.*; and your Excellency will perceive, by the adoption of the late measures in the disposal of these people, a saving will be made to the Crown of 6,829*l.* 7*s.* 9*d.* annually.

There are Casualties which may probably occur for some time to come, among so large a number, who have so suddenly obtained their freedom, many of whom are not provided with funds for assistance to support themselves, in cases of severe illness, accidents and other causes, and who may be considered fit objects for relief: some may die, and not have sufficient to pay the expenses of their burial; and as I have only continued in the discharge of my official duties as acting Collector, by your Excellency's express commands, until these people were disposed of (and the Honourable the Commissioners of Customs having ordered my departure to Barbadoes as Comptroller of that Survey), I am to request your Excellency will issue specific Instructions on this head for the guidance of the person who will succeed me in office, until the Collector's return from leave of absence.

The object for which your Excellency deemed it advisable to detain me here being accomplished, I shall require a few days only to prepare for my departure; and I trust this delay on my own account will not be considered improper by the Lords of the Treasury, or by the Board of Customs (as your Excellency is aware of the trouble I have had in the execution of your Excellency's orders), nor that I shall be deprived of any portion of my salary, as Comptroller of Barbadoes, from the date of my successor's arrival here (which took place on the 24th of October 1828), for having obeyed your Excellency's orders.

I have the honour to be, &c. &c. &c.

(signed) *B. Parkhurst*, Act^g Colk.

CAPTURED AND APPRENTICED AFRICANS.

7

Enclosure 2, in No. 2.

ABSTRACT, showing the Disposal of all the LIBERATED AFRICANS, CREOLES, and others
under the Collector's Charge, on the 5th February 1829.

ANTIGUA.

AFRICANS:			AFRICANS:		
Males - - - -	95	341	Males, capable of sup- porting themselves, & now free - - - -	79	262
Females - - - -	119		Females - ditto - ditto	109	
Children of ditto - - -	127		Children of ditto - ditto	69	
Orphan children - - -	7		Orphan children - ditto	5	
CREOLES:			Males incapable of sup- porting themselves, & to be maintained by Government - - - -		4
Males - - - -	11	22	Females - ditto - ditto	10	67
Females - - - -	5		Children of ditto - ditto	51	
Children of ditto - - -	6		Orphan children - ditto	2	
FUGITIVES:				Males, apprentices, who have 2 years to serve	
Males - - - -	8		CREOLES:		
			Males capable of sup- porting themselves, & now free - - - -	11	22
			Females - ditto - ditto	5	
			Children of ditto - ditto	6	
			FUGITIVES:		
			Males capable of sup- porting themselves, & now free - - - -	8	8
TOTAL - - - -		371	TOTAL - - - -		371

(signed) B. Parkhurst,
Acting Collector.

Enclosure 3, in No. 2.

PROBABLE ESTIMATE of EXPENSE to be incurred for FEEDING, CLOTHING, MEDICAL
ATTENDANCE, and other Contingencies, of AFRICANS under the Care and Protection of the
Collector of His Majesty's Customs, from the 5th April 1829, for One Year.

				FOOD.	CLOTHING.	TOTAL.
				£. s. d.	£. s. d.	£. s. d.
Males - - Adults	-	-	4	54 12 -	4 17 -	
Orphans - at full allowance	-	-	2	27 6 -	Included in the Estimate for the children.	
Females - Adults	-	-	10	136 10 -	19 17 6	
Males - Children	-	-	24	163 16 -	17 12 1	
Females - ditto	-	-	27	184 5 6	38 2 5	
			67	566 9 6	80 9 -	
Carried forward - - -						646 18 6

A 4

Enclosure 3, No. 2—continued.

ANTIGUA.

PROBABLE ESTIMATE of Expense to be incurred for Feeding, &c.—continued.

	FOOD.	CLOTHING.	TOTAL
	£. s. d.	£. s. d.	£. s. d.
MEDICAL ATTENDANCE and other Contingencies :			
	Brought forward	- - -	646 18 6
Rent of Hospital - - - - -	100 - -		
Sick-nurse - - - - -	46 16 -		
Charge for Medical Attendance - - - - -	200 - -		
Probable amount of Wine and other nourishment, Fuel, &c. for Hospital - - - - -	52 - -		
Colonial Secretary, for examining Accounts - - - - -	57 12 -		
Clerk, making up Accounts - - - - -	120 - -		576 8 -
			1,223 6 6

This Account is made up from the 5th April 1829, when a Deduction in the Rent of the Hospital, in the Charge of the Medical Attendant, and in abolishing the office of Superintendent of those under Medical treatment, will take place from that date. This Reduction amounts to £.340. 4, and is to be accounted for thus :

Rent of Hospital reduced from £. 120 to £.100	- - 20 - -
Superintendent abolished	- - 70 4 -
Medical Charge, from an average of £.450 per annum to } £.200	250 - -
	£.340 4 -

(signed) B. Parkhurst, Colt.

Enclosure 4, in No. 2.

BY COMMAND OF THE KING.

THESE are to make known to all whom it may or doth concern, That an African, has become entitled to Freedom under the Act for the Abolition of the Slave Trade, and that henceforward will be permitted to live in the Colony precisely on the same conditions as any other free persons of African birth or descent, subject only to the following Exception ; viz.

The 31st section of the Statute 5 Geo. IV. c. 113. having authorized His Majesty in Council to make all necessary Regulations for the disposal of Apprentices after the Indentures have expired or been cancelled, so as to prevent their becoming chargeable to the Colony in which they have been bound Apprentices;—the within named African is hereby apprized, that His Majesty will not exercise the powers thus entrusted to Him by Parliament, so long as own continued good conduct may render it unnecessary to resort to any measures of coercion. But is given distinctly to understand, that if within the period of seven years shall be convicted of theft, or any other offence against the peace of society, or should be found seeking subsistence as a common beggar or vagrant, or should become chargeable upon any parochial or public rates, except in cases of sickness or other inevitable accident, measures will be adopted for removal from this Colony to some other part of His Majesty's Dominions, where will be constrained to labour for subsistence.

Given under my hand and seal, at the Government House, Antigua, this day of in the year of our Lord one thousand eight hundred and and in the year of His Majesty's reign.

—No. 3.—

DESPATCH from the Right Hon. Sir *George Murray* to Sir *Patrick Ross*,
&c. &c. &c.

SIR,

Downing-street, 3d May 1829.

ANTIGUA.

I HAVE had the honour to receive your Despatch, dated the 17th of January last, reporting your proceedings for the liberation of the captured Africans, in pursuance of my Circular Despatch of the 16th of October last.

The reason you have assigned for continuing for the present the Charge of the Medical attendance on these persons, is satisfactory. I shall be prepared to support any application which Mr. Parkhurst may make to the Lords Commissioners of the Treasury, to be indemnified against the loss of salary occasioned by his detention in Antigua in the Public Service.

I have, &c.

(signed) *G. Murray.*

—No. 4.—

DESPATCH from Sir *Patrick Ross* to the Right Hon. Sir *George Murray*,
&c. &c. &c.

SIR,

Government-house, Antigua, 25th May 1829.

WITH reference to my Despatch of the 17th January last respecting the measures which had then been carried into effect regarding the liberated Africans, to whom, pursuant to your instructions, Certificates of Freedom were granted; it now affords me much satisfaction to have the honour of reporting to you, that during a period of five months which has expired since they were set at large, I have not received a single complaint against them, nor has one of them been committed by a magistrate for the most trifling offence.

There has not, to my knowledge, been any application from them on the score of poverty; and they appear to be in general industriously occupied in providing for their own livelihood.

I have the honour to be, &c.

(signed) *Patrick Ross.*

—No. 5.—

DESPATCH from Sir *George Murray* to Sir *Patrick Ross*,
&c. &c. &c.

SIR,

Downing-street, 17th July 1829.

I HAVE received your Despatch of the 25th of May, and have had great satisfaction in learning the success which has attended the measures ordered to be taken for the disposal of the captured Africans.

I have, &c.

(signed) *G. Murray.*

—No. 6.—

DESPATCH from Mr. President *Munnings* to the Right Hon. Sir *G. Murray*,
&c. &c. &c.

SIR,

New Providence, Bahamas, 30th June 1829.

BAHAMAS.

IN compliance with the Instruction contained in your Despatch of the 16th of October 1828, I directed the Chief Officer of the Customs to transmit to me a List of all persons in these islands who had been apprenticed under the Acts for the Abolition of the Slave Trade, classing and distinguishing them, as directed by your

BAHAMAS.

Despatch ; and also a List of all captured Africans or Creoles remaining in his custody, for whom it had not been practicable to find masters, and who had been apprenticed to himself, under the Order in Council of the 19th July 1825 ; distinguishing such as might be employed in his own domestic service, and further distinguishing which of them were capable of earning their own subsistence.

The preparation of these Lists was a work of much time and labour to the Collector of the Customs ; and since the receipt of them in the month of May last, I have set apart three days in the week for the personal inspection of these persons in my own presence, and in that of the Collector and Comptroller of the Customs ; and in cases when the terms of apprenticeship have expired, and in other cases when any of these persons have been reported by the Collector and Comptroller to be capable of earning their own subsistence, I have granted a Certificate under my hand and seal, of the fact that they have become entitled to Freedom under the Act, for the Abolition of the Slave Trade ; and I have endeavoured to make them distinctly understand, upon what footing they will hereafter be permitted to live as free persons in the Colony, and by what acts of misconduct on their parts they may hereafter become subject to removal as offenders, paupers, or vagrants.

The Certificates already granted amount to 253.

Some of these persons being at sea, and others resident upon the out islands, many months may elapse before I may have an opportunity of seeing them personally, and I have therefore thought it proper at this period, to apprise you that your Instructions of the 16th October 1828 are in due course of execution.

And I have, &c.

Wm. Vesey Munnings.

—No. 7.—

EXTRACT of a DESPATCH from Sir *J. C. Smyth* to the Right Honourable Sir *George Murray*, G.C.B.

Government-house, Bahamas, 13th March 1830.

“ SOON after my arrival in this Colony I took an opportunity of visiting the Establishment of the Africans who, having served their apprenticeships, are now located on small lots of ground, a short distance from this town, at a place called Head Quarters.

This Establishment, which was formed at the suggestion and under the personal superintendence of the late Mr. Poitiers, Collector of Customs in this Colony, does much credit to his zeal and to his humanity. It is evident, however, that since his death the protecting and fostering hand which placed these poor people in their present situation (and which would have guided and supported their steps until they were able to walk alone) is much wanting. I beg to refer you to my Message to the Assembly (a copy of which I have the honour to enclose) as to the view which I took of the situation and of the wants of these people. Many of them are tolerably industrious, and are in comparative comfort ; others again are idle and dissolute, and have the reputation of not being very scrupulous as to the rights of property. The want of instruction and the absence of all control are the great evils under which they labour. I am not without hopes that I shall get some assistance from the Assembly. The feelings of the great majority of the inhabitants of these islands, and consequently of the gentlemen composing the Assembly, I sincerely believe to be very good. It must be, however, remembered, that they have their own poor to maintain, their own schools to keep up, and their own churches to build. The commerce of these islands is at the lowest ebb, and the revenue of course very trifling ; under these circumstances it can hardly be expected, that they will feel themselves called upon to give much assistance towards providing these indented Africans and their children with instructors, or contribute largely towards the expense of the necessary buildings for a school and a place of worship. I take the liberty of drawing your attention to the subject, and of respectfully inquiring whether it is possible that some pecuniary aid can be offered from home. These indented Africans have cost a good deal. It would be, however, a subject of future regret were they to be allowed to become idle, profligate, and dissolute, instead of being formed into useful and industrious members of the community, for want of the little additional expense of a few hundred pounds.

In

In the original Plan for the formation of this settlement Mr. Poitier (as explained in his Letter to Earl Bathurst of the 8th January 1825) always looked forward to the necessity of Instruction. He expressly says, "I take it for granted, that the Clerical Establishment lately instituted for these Colonies will extend to these people the moral and religious instruction which they are yet deficient in." Earl Bathurst, in his Despatch of the 9th of July 1823, states, that "if the revenue of the Colony shall be insufficient to maintain an adequate number of Clergymen and Teachers under Episcopal control, His Majesty's Government will not hesitate to apply to Parliament for pecuniary aid." Under these circumstances, and being aware of the anxiety hitherto constantly manifested by His Majesty's Government in the fate of the indented Africans, and which has been made evident, by the several Commissions which have been sent from England, to make minute inquiries respecting them; I am in hopes you will take my request into favourable consideration. If I could get your permission to draw from England, and to add to the establishment of the Colony 150*l.* per annum for the salary of a Teacher or Instructor for the indented Africans and their children, the money would be most usefully laid out, and I could apply to the Assembly with a better grace for any further assistance. I should, however, require, in addition from home, the money to construct the school-room and teacher's house. These buildings are the first things which are wanting, and which I find cannot be constructed under 400*l.*

His Lordship, the Bishop of Jamaica, will doubtless have informed you of the very liberal subscription which was made here a few days ago, for the purpose of diffusing the Christian Religion; from this Society books, and even a small pecuniary aid towards the expense of an Instructor, we may look for with confidence. For our buildings we have no funds; and excepting you feel that you can give from home the pecuniary aid I have solicited, I am afraid the chance of these poor people receiving any moral or religious instruction is very remote indeed. I will take the liberty of adding, that the Bishop, having accompanied me a few days ago on a second visit I made to Head Quarters, his Lordship was so pleased with the anxiety expressed by these poor people for Instruction, and for having a Teacher sent to take charge of their children, that he was good enough to place 50*l.* (from a fund which he has the management of at Jamaica) at my disposal, and to promise me the like sum annually in aid of my views with respect to them."

Enclosure in No. 7.

HOUSE of ASSEMBLY, Tuesday, January 5, 1830.

MR. SPEAKER, and GENTLEMEN of the Honourable House of Assembly,

YOU are aware that a considerable number of liberated Africans, after having served their time as indented servants, are located within a few miles of this town, at a place called Head Quarters. I have lately visited this Establishment; and it is my decided opinion, that the presence of an active, intelligent, moral person, capable of affording instruction to the children, and at the same time possessing of sufficient firmness to maintain an authority and influence over the parents, is indispensable. At present those Negroes are left entirely to themselves; and although many of them have cultivated their ground, are comparatively industrious, and are desirous of moral and religious instruction, others are, of course, idle and dissolute. It appears to me that the village of Head Quarters will be a source of good or of evil to the Colony, according to the degree of attention which may be paid to it; and that we are called upon, both by policy as well as by humanity, to cause these people, who are now, as well as their children, free inhabitants of the island, to be properly instructed in their religious and in their moral duties. If the House see this subject in the same point of view that I do, and will authorize a salary for the person whom I may select to reside at Head Quarters as a Superintendent and Instructor of the Establishment, it is my intention, with the approbation of the Council, to place him in the commission as a Justice of the Peace; so that there will be a competent civil power on the spot to check and control any improper deeds on the part of the Negroes, as well as a person whose duty it will be to instruct them. Two hundred pounds currency per annum is the sum for which I understand a proper person can be procured. There is no building of any sort in which a white person can be lodged. If the House think proper to allow 100*l.* currency for the construction of a house, and the same sum for the erection of a building which could be made use of as a school-room and as a place of worship, I will take care that these sums are carefully and properly applied.

Government House, }
2d January 1830. }

(signed) J. Carmichael Smyth.

Wednesday, January 6, 1830.

BAHAMAS.

The House proceeded to take into consideration his Excellency the Governor's Message of the 2d instant; and the same having been read a second time,—

Resolved, That the said Message be referred to a Select Committee to report to the House, at an early period of the next Session, upon the several matters therein mentioned, and the expediency of making any grant or grants accordingly.

Ordered, That Mr. Hepburn, Mr. Malcolin, and Mr. Taylor, be a Committee for that purpose.

(A true copy from the Minutes.)

J^r Anderson, Clerk.

—No. 8.—

LETTER from *Horace Twiss, Esq.* to the Hon. *J. Stewart*,
&c. &c. &c.

SIR,

Downing-street, 31st August 1830.

I AM directed by Secretary Sir George Murray, to inclose to you herewith, copy of a communication which has been received from the Governor of the Bahamas, in which the Governor applies for a grant from His Majesty's Government of 400*l.* sterling, for the erection of a school and teacher's-house; and of 150*l.* sterling, per annum, for a teacher's salary, for the purpose of ensuring the proper education of the liberated Africans who have been formed into a settlement in the Bahamas.

I have to request that you call the attention of the Lords Commissioners of the Treasury, to the saving which has been recently effected of almost all the expense hitherto incurred by Government for the maintenance of liberated Africans in the West Indies, and convey to them Sir George Murray's strong recommendation that a portion of the money thus saved, should be applied, if possible, to the purpose pointed out by the Governor of the Bahamas. The Bahamas appears to be the only colony in which the number of the liberated Africans (now 544) and the facility of providing land, have rendered it expedient to form a regular settlement of these people, and Sir George does not apprehend that an acquiescence in this application would be followed by any others of a similar nature. The children in want of instruction, are stated to be 253 in number, and as it has not hitherto been, and indeed could not fairly be expected of the Colony to assume any charge on account of liberated Africans, Sir George has no reason to expect that the Governor's application to the Legislature for assistance in this matter will be attended with much success.

I have, &c.

(signed) *H. Twiss.*

—No. 9.—

LETTER from the Hon. *J. Stewart*, to *H. Twiss, Esq.*
&c. &c. &c.

SIR,

Treasury Chambers, 17th September 1830.

The Lords Commissioners of His Majesty's Treasury having had under consideration your Letter of the 31st ultimo, with a copy of one from the Governor of the Bahamas, applying for a grant from this Government, of sums for the erection of a school and for a teacher's salary, in order to ensure the proper education of the children of the liberated Africans, who have been formed into a settlement there; I have it in command to acquaint you, for the information of Secretary Sir George Murray, that my Lords consider it highly desirable and proper that the means of instructing the children of the liberated Africans located in that Colony, should be provided, and their Lordships are of opinion, that a considerable proportion of that expense should be defrayed by this country; but they nevertheless are of opinion, that the Colony ought to contribute towards that object. Their Lordships,

Lordships, however, would suggest to Sir George Murray, that it would be desirable to be made acquainted with the answer to the Governor's message to the Assembly before the amount of contribution by Great Britain is fixed. At the same time it may be convenient to acquaint the Governor, that Government will be willing to provide for a proportion of this expense.

BAHAMAS.

I am, &c.

(signed) *J. Stewart.*

—No. 10.—

DESPATCH from the Right Hon. Sir *G. Murray* to Sir *J. C. Smyth*, Bart.
&c. &c. &c.

SIR,

Downing-street, 22d October 1830.

I HAVE the honour to acknowledge the receipt of your Despatch, dated the 13th of March last, relating to the settlement of the apprenticed Africans, at a place called Head Quarters.

I have caused your application for a grant of money for the erection of a school, and for a teacher's salary to be submitted to the favourable consideration of the Lords Commissioners of the Treasury, and I have the honour to transmit to you herewith, for your information and guidance, a copy of the correspondence which has passed on this subject.

I have, &c.

(signed) *G. Murray.*

Mr. Twiss, 31 Aug.
Mr. Stewart, 17 Sept.

—No. 11.—

DESPATCH from Sir *J. C. Smyth* to the Right Hon. the Lord Viscount *Goderich*,
&c. &c. &c.

MY LORD,

Government-house, Bahamas, January 28th, 1831.

WITH reference to Sir George Murray's Despatch of the 22d October 1830, in reply to my Letter of the 13th March of the same year, relative to a grant of money for the erection of a school, and for a teacher's salary at the establishment of liberated Africans, at a place called Head Quarters, upon this Island, I have the honour to lay before your Lordship copy of a message I have received from the House of Assembly of this Colony, in reply to my application to them upon the 2d January of last year upon the subject.

Your Lordship will observe, that (what I had indeed anticipated in my Despatch of the 13th March) I am not to expect any pecuniary assistance from the Assembly in furtherance of my plan for the education and instruction of the children of the liberated Africans. In fact, as the liberated Africans were settled on this Island, contrary to the expressed wishes of the inhabitants, and under a promise that the Colony would not be called upon to incur any expense with respect to them, it was not to be expected that the Members of the Assembly would feel themselves at liberty at present to afford any aid towards their improvement, whatever they may do hereafter, when the benefits of the settlement become more evident to the inhabitants in general. The promise under which it has been understood here, that the liberated Africans would not cause any expense to the Colony is contained in the 16th section of the Act of the 47th of George III., c. 36, wherein it is stated, "that it may and shall be lawful for His Majesty in Council to make such orders and regulations for the future disposal and support of these Negroes, after the term of their apprenticeship shall have expired, as may prevent such Negroes from becoming at any time chargeable upon the Island in which they shall have been bound apprentice."

Under these circumstances, and with reference to the Letter of the 17th September of last year, from the Lords of the Treasury to the Colonial Office, I hope your Lordship will have the goodness to cause the subject to be again brought before

BAHAMAS.

their Lordships, and that the sum of 400*l.* for the requisite buildings, and 150*l.* per annum for the teacher's salary, will be granted for the purposes I have explained at full length in my Despatch of the 13th March.

I have the honour to be, &c. &c. &c.

(signed) *J. Carmichael Smyth.*

MAY IT PLEASE YOUR EXCELLENCY.

THE HOUSE of ASSEMBLY, in reference to your Excellency's message to the late House of Assembly, of the 2d January 1830, have to express their regret, that the limited means of the country will not admit of a grant to the amount required, for the purposes suggested in that message.

By Order of the House,

House of Assembly, }
27 January 1831. }

(signed) *W. Wyll,*
Speaker.

—No. 12.—

LETTER from Viscount *Howick*, to the Hon. *J. Stewart*,
&c. &c. &c.

SIR,

Downing-street, 27th April 1831.

WITH reference to your Letter of the 17th of September last, in which you intimated an opinion that the means of affording instruction to the children of the liberated Africans settled in the Bahamas, should be supplied, though in a considerable proportion by this country, yet in part also by the Colony, I am directed Viscount Goderich, to enclose to you a copy of the correspondence which has taken place with the Governor in consequence of your Letter; and I am to express his Lordship's concurrence in the opinion of the Governor, that this, like all other expenses on account of liberated Africans, is a charge which cannot justly be imposed upon the Colony, and ought to be defrayed, as the charges for the maintenance of the same persons always are, so long as they are necessary to be incurred, from the funds of this country.

I have, &c.

(signed) *Howick.*

—No. 13.—

LETTER from the Hon. *J. Stewart* to Viscount *Howick*,
&c. &c. &c.

MY LORD,

Treasury Chambers, 13th May 1831.

THE Lords Commissioners of His Majesty's Treasury having had under their consideration your Lordship's Letter of the 27th ultimo, transmitting the copy of a Despatch from the Governor of the Bahamas, relative to providing the means of affording instruction to the children of liberated Africans there, I am commanded to acquaint you, for the information of Viscount Goderich, that under the circumstances now stated, my Lords are pleased to approve of the grant of a sum of four hundred pounds sterling, for the erection of a school and teacher's house; and also the grant of one hundred and fifty pounds sterling per annum for a teacher's salary, for the purpose of insuring the proper education of the children of the liberated Africans, who have been formed into a settlement at the Bahamas; and my Lords will cause an Estimate of the amount required to defray this expense to be submitted to Parliament.

I am, &c.

(signed) *J. Stewart.*

—No. 14.—

DESPATCH from the Right Hon. Viscount *Goderich* to Sir *J. C. Smyth*, Bart.
&c. &c. &c.

BAHAMAS

SIR,

Downing-street, 15th May 1831.

I HAVE the honour to acknowledge the receipt of your Despatch, dated the 28th of January last, relating to a grant of money for the erection of a school, and for a teacher's salary, at the establishment of liberated Africans at Head Quarters; and I transmit to you herewith for your information, the copy of a further communication, which has been received from the Secretary to the Treasury upon this subject.

I have, &c.

(signed) *Goderich*.

13 May.

—No. 15.—

DESPATCH from Lieutenant-Governor *Beard* to the Right Honourable
Sir *George Murray*, &c. &c. &c.

SIR,

Berbice, 2d January 1829.

BERBICE.

I HAD the honour to receive your Despatch of 16th October last, conveying instructions for the guidance of myself and the officers of Customs in this Colony, respecting the future disposal of African Apprentices. I now transmit the Returns made to me, under those instructions, by the Chief Officer of the Customs at this port; and at the same time I have the honour to state, that the African Negro *Sary*, whose term of apprenticeship has expired, has received from me the Certificate of his Freedom, and the Admonition directed to accompany it. This man has a long time been employed as an efficient carpenter at His Majesty's newly-erected saw-mill in this Colony, and is every way competent and willing to earn his own subsistence.

I have, &c.

(signed) *H. Beard*.

Enclosure in No. 15.

A LIST of all PERSONS within this Colony, who have been APPRENTICED under the ACTS for the ABOLITION of the SLAVE TRADE, distinguishing African and Creole Apprentices from each other; and further distinguishing which of the Apprentices have served out the whole of their Indentures, and what period remains to be served by each of those whose Apprenticeship is yet unexpired.

NAMES.	AFRICANS.	CREOLES.	
<i>Sary</i> .	1	.	{ <i>Sary's</i> Indentures expired on the 6th day of March 1828. - - <i>Sam</i> was first apprenticed to Mr. Staple, on the 17th March 1826, and his Indentures were afterwards transferred to Mr. Phipps, the Comptroller, on the 24th March 1828. His Apprenticeship will expire on the 17th March 1833.
<i>Sam</i> .	1	.	

BERBICE.

LIST of all CAPTURED AFRICANS remaining in the custody of the Collector of Customs at this Port, for whom it has not been practicable to find Masters, and who have been apprenticed to himself, under the Order in Council of the 19th July 1825; distinguishing especially such as may be employed in his own Domestic Service; and further distinguishing which of them are capable of earning their own Subsistence.

THERE is no captured African at present in the custody of the Collector; but Sam, who is mentioned as apprenticed to the Comptroller, is not yet capable of maintaining himself, and the expense of his subsistence is defrayed by that gentleman.

Custom House, Berbice, }
9th December 1828. }

(signed) D. Macdonald, Collr.

— No. 16. —

EXTRACT of a DESPATCH from Major-General Sir Benjamin D'Urban, to the Right Hon. Sir George Murray.

King's House, Demerara, 12 April 1829.

DEMERARA.

"I HAVE had the honour to receive your Circular Despatch of the 16th October, and have fulfilled the instructions therein contained.

It was necessarily a considerable time before I could cause a general muster and personal inspection of the liberated Slaves in question to take place, scattered as they were over this extensive Colony, in the pursuit of their various occupations. Having at length effected it, the result has been as in the enclosed Lists. By No. 3 of which you will perceive, that there are still five (four males and one female) who from various causes have not yet appeared; these, however, will be kept in mind, and will receive their Certificates of Freedom as they can be respectively seen.

I enclose a form, which I have followed in framing the Certificates of Freedom, which was drawn up by the King's Advocate in Admiralty, as legally and duly corresponding with His Majesty's Instructions expressed in the Despatch."

Enclosure 1, in No. 16.

LIST of all LIBERATED NEGROES within this Colony who have been apprenticed under the Acts for the Abolition of the Slave Trade; distinguishing which of the said Apprentices have served out the whole of their Indentures, and what Period remains to be served by each of those whose Apprenticeship is yet unexpired.

APPRENTICES who have served out the whole Term of their Indentures.

Recorded Number.	Males' Name.	AGE.	Whether African or Creole.	Recorded Number.	Females' Name.	AGE.	Whether African or Creole.
2	Bull - -	33	African -	1	Manoella - -	26	African.
63	Rich. Robinson -	27	- ditto -	65	Eliza Robinson -	29	- ditto.
7	Sam Harris -	23	Creole -				
8	Bob - -	28	- ditto -				

APPRENTICES

Enclosure 1, in No. 16—*continued.*

APPRENTICES who have Not served out the whole Term of their Indentures.

DEMERARA.

Recorded Number.	Males' Name.	AGE.	COUNTRY.	To whom Indented.	For what Term.	Period remaining to be served.
15	Jack - -	16	Creole - -	P. Staple - -	7 years	3 yrs. 7 months.
35	Ned Jack - -	12	- ditto - -	J. C. Hammill - -	6 -	4 yrs.
45	Edward - -	12	- ditto - -	Col. Young - -	6 -	3 yrs. 10 months.
46	Renn - -	14	- ditto - -	C. Knott - -	6 -	3 yrs. 11 months.
52	Ben - -	12	- ditto - -	T. Nurse - -	6 -	4 yrs.
6	Jemney - -	31	Africa - -	P. Staple - -	9 -	1 year.
10	Louisa - -	19	- ditto - -	Col. Goodman - -	6 -	1 year.
17	Alexy - -	17	Creole - -	Col. Young - -	6 -	3 yrs. 10 months.
28	Peggy Ann - -	21	- ditto - -	Rev. E. Gunn - -	6 -	4 years.
29	Molly Ford - -	22	- ditto - -	R. B. Knight - -	6 -	4 years.
50	Martha - -	20	- ditto - -	P. Staple - -	6 -	4 years.
42	Sarah Lilly - -	18	- ditto - -	J. C. Hammill - -	6 -	4 years.
33	Bridget - -	22	- ditto - -	Geo. Breton - -	3 -	1 year.

Custom House, Demerara, }
5th April 1829.

(signed) H. Strange,
Act^g Coll^r.

Enclosure 2, in No. 16.

LIST of all LIBERATED AFRICANS and CREOLES remaining in the Custody of the Collector, for whom it has not been practicable to find Masters, and who have been apprenticed to himself, under the Order in Council of 19th July 1825; distinguishing such as may be employed in his own Domestic Service; and further, which of these are capable of earning their own Subsistence.

N. B.—None employed in the Domestic Service of the Collector.

Recorded Number.	N A M E.	AGE.	COUNTRY.	
	MALES:			
25	Neptune - - -	26	Creole - -	{ -- Capable of earning his own subsistence, and who has received his Certificate of Freedom.
	FEMALES:			
21	Sally Jebley - -	42	Creole - -	{ -- Capable of earning their own subsistence, and who have received their Certificates of Freedom.
22	Sally - - -	42	Africa - -	
26	Joan - - -	35	Creole - -	
31	Nelly - - -	24	- ditto - -	
36	Harriett - - -	22	- ditto - -	
37	Nanny - - -	20	- ditto - -	
43	Statira - - -	22	- ditto - -	
44	Philly Ann - -	19	- ditto - -	
47	Dutchess - - -	27	- ditto - -	
48	Fanny - - -	29	- ditto - -	
49	Bessy - - -	31	- ditto - -	{ Unable to earn their own subsistence.
51	Mopsey - - -	19	- ditto - -	
57	Nanny Jean - -	20	- ditto - -	
32	Eliza Cleary - -	40	- ditto - -	
39	Sarah Kate - -	31	- ditto - -	

Enclosure 2, in No. 16 — *continued*.

DEMERARA.

LIST of Persons who have Not been Indented, supporting themselves.

Recorded Number.	NAME.	SEX.	AG	COUNTRY.	
3	Bernard - -	Male -	36	Creole -	} -- Capable of earning their own subsistence, and who have received their Certificates of Freedom.
4	Petit - -	ditto -	42	- ditto -	
13	Charles Welsh -	ditto -	46	- ditto -	
25	Kendall - -	ditto -	38	African -	
60	James Cutchley -	ditto -	32	Creole -	
61	Kitty Woolford -	Female -	34	- ditto -	
85	Martha - -	ditto -	37	African -	
86	Pamelia - -	ditto -	20	Creole -	
87	Catey - -	ditto -	25	- ditto -	

Custom House, Demerara, }
5 April 1829.

(signed) H. Strange,
Act^y Coll^r.

Enclosure 3, in No. 16.

LIST of Persons capable of earning their own Subsistence, and entitled to their Freedom, but who did not appear at the General Muster.

Recorded Number.	NAME.	AGE.	SEX.	COUNTRY.	
5	Moro - -	28	Male -	Africa -	} Supposed to be working in the country.
9	Jim Morris -	24	ditto -	Creole -	
14	Jean Sensee -	47	ditto -	- ditto -	} Supposed to be working in the country.
34	James - -	17	ditto -	- ditto -	
36	Diana - -	24	Female -	- ditto -	} In gaol. Gone to Barbadoes to see her family.

Custom House, Demerara, }
5 April 1829.

(signed) H. Strange,
Act^y Coll^r.

RECAPITULATION:

	MALES.	FEMALES.	TOTAL.
Number who have received their Certificates of Freedom	10	19	29
Number entitled to certificate of Freedom, but who have not yet received Certificates of Freedom by Return, No. 3	4	1	5
Number unable to earn their own Subsistence - -	-	2	2
Apprentices who have not served out their Indentures	5	8	13
	19	30	49

Enclosure 4, in No. 16.

DEMERARA AND ESSEQUEBO.

By His Excellency Major General Sir *Benjamin D'Urban*, Knight Commander of the Most Honorable Military Order of the Bath, &c. &c. &c. Lieutenant Governor and Commander in Chief in and over the United Colony of Demerara and Essequibo, its Dependencies, &c. &c. &c.

DEMERARA.

TO all whom it doth or may concern, Be it known, That the slave named _____ registered and described in the _____ Registry of Slaves for the _____ of _____ of date the _____ day of _____ as being _____ was condemned by a sentence or decree of the _____ Court of Vice-Admiralty of this United Colony, dated the _____ day of _____ as forfeited to His Majesty, His heirs and successors, to be dealt with according to the statute in such case made and provided; and that by virtue of the provisions of the statute in such case made and provided;—

I do hereby, in consequence of Instructions received from His Majesty's Government, certify, That the said slave _____ has become entitled to Freedom, under and by virtue of an Act made and passed in the fifth year of His Majesty's reign, intituled, "An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade."

Nevertheless, upon this express Condition, that if within the period of seven years, the said _____ shall be convicted of theft, or any other offence against the peace of society, or shall be found seeking a subsistence as a common beggar or vagrant, or shall become chargeable upon any parochial or public rates, except in cases of sickness or other inevitable accident, measures shall be adopted for the removal of the said _____ from this United Colony to some other part of His Majesty's Dominions, where _____ will be constrained to labour for _____ subsistence.

Given under my hand and seal of office, at George Town, in the United Colony of Demerara and Essequibo, this _____ day of _____ in the _____ year of His Majesty's reign, and in the year of our Lord 18 _____.

By His Excellency's command.

— No. 17. —

DESPATCH from Major-General *Nicolay* to the Right Hon. Sir *G. Murray*, &c. &c. &c.

SIR,

Government-house, Dominica,
15th January 1829.

DOMINICA.

I HAVE to report, that in compliance with the directions contained in your Circular Despatch of the 16th October last, I have granted Certificates of Freedom (under the Act for the Abolition of the Slave Trade) to 18 Creoles and 15 Africans, all of whom are capable of earning their own subsistence.

The conditions upon which they are permitted to remain in this Island have been fully explained to them.

I have the honour to be, &c.

(signed) *Wmth Nicolay*.

— No. 18. —

EXTRACT of a DESPATCH from Sir *James Campbell* to the Right Honourable Sir *George Murray*. Dated Grenada, 1 Jan. 1829.

"I HAVE to acknowledge the receipt of your Circular Despatch of the 16th of October last, on the subject of the condition of Apprenticed Africans in this Colony; and I have now the honour to enclose to you a List from the Chief Officer of Customs, of all persons within this Island and its Dependencies, who have been apprenticed under the Acts for the Abolition of the Slave Trade, distinguishing Africans from Creoles, and Males from Females; and further, which of the Apprentices have served out the whole term of their Indentures, and what period remains to be served by each of them whose Apprenticeship is yet unexpired.

GRENADA.

GRENADA,

In pursuance of the directions contained in your Despatch, I caused a general muster and inspection to be made in my presence of the above persons, and I did in consequence cancel the Indentures of Thomas Holmes Robinson, and Edward Robinson, the only Indentures produced, and did grant to all of them a Certificate, under my hand and seal, of the fact that they had become entitled to their Freedom; and

Enclosure.

LIST of all Persons within the Island of Grenada and its Dependencies, who have distinguishing Africans from Creoles, and Males from Females; and further, what Period remains to be served by each of those whose Apprenticeship

NAMES:		SEX.	Whether of African or Creole Birth.	TO WHOM.	When.	For what Period.
AFRICAN.	ENGLISH.					
Cumba	Mary	Female	African	Richard Hudson	1816	14 years
Yuamba	Thomas	Male	ditto	ditto	1816	5 years
Congo	William	Male	African	William Cooke	1816	14 years
Eyao	{ Ned alias Edward Robinson }	Male	African	Charles Robinson	Aug. 1814	14 years
Ulkeroa	{ Tom alias Thomas Holmes Robinson }	ditto	ditto	ditto	ditto	ditto

Note.—There are no Persons Apprenticed under the Order in Council of 19th July 1825.

—No. 19.—

DESPATCH from Major-General Sir John Keane to the Right Honourable Sir George Murray, &c. &c. &c.

JAMAICA.

SIR,

King's House, Jamaica, 13th December 1828.

THE pressure of public business will only permit me to acknowledge the receipt of your Despatch of 16th October last, marked "Circular," conveying your Instructions respecting Apprenticed Africans in this Island; and to assure you, that as far as it may be practicable, I shall use my best exertions to carry your Instructions into effect.

I have, &c.

John Keane.

and I did at the same time fully apprize them of the Conditions under which alone they would be permitted to reside in this Colony, and of the power vested in His Majesty to make all necessary Regulations respecting them, should they misbehave themselves. And I beg further to state, that I shall particularly attend to the further Instructions contained in your Despatch."

GRENADA.

Enclosure.

been APPRENTICED under the ACTS for the Abolition of the SLAVE TRADE; which of the Apprentices have served out the whole Term of their Indentures, and is yet unexpired.

Period served.	Period remaining to be served.	If the whole Period has been served, or not.	REMARKS.
5 years	—	—	{ -- These two persons were indentured as apprentices, by the Brigade Major at Barbadoes, in the year 1806, for a period of fourteen years, to Richard Hudson, Esq. late Ordnance Storekeeper in this Island, who, on his return to Europe in 1821, transferred their services to a free woman of colour residing here, named Harriet Kelly, who in the same year relinquished her claim on their services, and has since that period allowed them to provide for themselves, which they may be considered as perfectly capable of doing.
ditto -	—	—	
1 year -	—	—	{ -- This person was indentured as an apprentice in 1816, by the Brigade Major at Barbadoes, for fourteen years, to a Mr. William Cooke, a clerk in the Commissariat Department, who in 1817 gave up his indentures, and has since that period permitted him to provide for himself, which he also is considered capable of doing.
14 years -	none	{ the whole period served	{ -- The former of these two is a groom, an active intelligent man, but subject to violent periodical attacks of asthma, he may notwithstanding be considered capable of providing for himself. The latter, named Tom, is a cook; he is a well-disposed man, but much addicted to the making use of ardent spirits to excess; and from this circumstance very great doubt may be entertained how far he may be thought capable of earning his own subsistence.
ditto -	- ditto -	- ditto -	

(signed) Thomas Holmes, Collr.
22 December 1828.

— No. 20. —

EXTRACT of a DESPATCH from the Earl of Belmore to Viscount Goderich.

King's House, Jamaica, 10th May 1831.

" I HAVE called for an immediate Return of all Negroes forfeited to the Crown under the Abolition Acts, stating, whether their Indentures have expired, and whether they are in a condition to support themselves; and I shall furnish the Officers of the Customs with Certificates of these individuals being entitled to their Freedom, upon the Conditions specified in Sir George Murray's Letter of 16th October 1828."

JAMAICA.

— No. 21. —

ST. LUCIA.

DESPATCH from Major-General *Stewart* to the Right Hon. Sir *George Murray*,
&c. &c. &c.Government Pavilion, St. Lucia,
29th January 1829.

SIR,

I HAVE the honour to acknowledge the receipt of your Despatch (Circular) of 16th October last, and to forward herewith a Letter received from the Collector of His Majesty's Customs, by which you will perceive that there are no African or Creole Apprentices within this Government.

I have the honour to be, &c. &c. &c.

(signed) *David Stewart*,
Gov. and Major-Gen.

(Enclosure.)

To His Excellency, *David Stewart*, Major-General, commanding His Majesty's Forces,
Governor of Saint Lucia, &c. &c. &c.

May it please your Excellency,

IN obedience to your commands that I should report for your Excellency's information forthwith, a List of all persons within the island who have been apprenticed under the Acts for the Abolition of the Slave Trade, distinguishing between African and Creole Apprentices; and further, for a List of all those captured Africans or Creoles for whom it has not been practicable to find masters, &c. previous to my preparing them for a general muster and personal inspection before your Excellency.

I have the honour to state for your Excellency's information, that there are not at this present, nor have there ever been any captured Africans or Creole Slaves condemned to the use of His Majesty, under the Acts for the Abolition of Slavery, since the year 1819, the period of my being appointed to this station; neither were there any such who had been condemned previously thereto, placed in my custody by the Chief Officer of Customs, whom I succeeded.

I am, with respect, Your Excellency's obedient Servant,

(signed) *Fred. Bakwell*,Custom House, St. Lucia,
29 January 1829.

Collector of Customs for the Island of St. Lucia.

— No. 22. —

DESPATCH from Governor *Maxwell* to the Right Hon. Sir *G. Murray*,
&c. &c. &c.

SIR,

St. Christopher, 24th July 1829.

ST. CHRISTOPHER.

WITH reference to your Circular Letter, dated the 16th of last October, relating to Apprenticed Africans and Creoles, I have the honour to acquaint you, that shortly after my arrival in last December, I transmitted to the several Chief Officers of the Customs at St. Christopher's, Nevis, Anguilla, and Tortola, a copy of your Instructions, with strict injunctions to conform to them without delay; and particularly notified, that all expenses were to cease at the close of the quarter ending the 5th of last January, which has been carried into effect in the three first islands; but in Tortola, where there are a considerable number of Africans, some expense is necessarily incurred in support of a few very infirm adults and orphans, and other incidental expenses, to prevent their becoming chargeable to the Colony.

I regret the delay that has prevented an earlier report being made on this subject; it has been occasioned by the indisposition of the acting Collector at Tortola, the extreme illness and death of the principal officer of Customs at Anguilla, and the unfrequent communication with that island.

I beg leave to refer you to the enclosed Lists of Creoles and Africans to whom Certificates of Freedom have been given, and to the other documents connected with this subject.

I have

I have the honour to request your particular attention to the expense which is at present, and will be unavoidably, incurred in Tortola, for the support of some of the adults who, from bodily infirmities, are unable to support themselves, and young orphans who require protection, the cost for funerals, medical attendance and medicines, and other incidental charges which will arise, to prevent these persons from becoming at any time chargeable upon the island, under the provision of the 31st clause of the 5 Geo. IV. c. 113. which has hitherto been defrayed by the Collector, under the authority of the several Orders in Council, as directed in a Letter from the late Lord Castlereagh, dated

I have directed the strictest economy to be observed in affording relief to these persons, which is to be regulated by the rates allowed to the poor of the parish.

Mr. Claxton, the Collector at Tortola, in his Letter dated the 5th of last May, has represented the great additional trouble and anxiety which attend the superintendence of these Africans; and solicits some allowance to be made him, to enable him to pay a person to assist as Clerk. I am fully aware of the correctness of his statement, and beg leave to recommend his claim to your favourable consideration. I have appointed him to the magistracy of Tortola, for the purpose of qualifying him to take legal measures in the cases where any of these Africans commit any breach of the peace; which duty Mr. Claxton will undertake, and save the expense that would fall on Government in employing the regular Magistrate.

I have, &c.

Chas Maxwell.

(Enclosure.)

CREOLES and AFRICANS who were under the charge of the Collector of His Majesty's Customs:—In the Island of

St. Christopher	-	-	-	-	43
Nevis	-	-	-	-	30
Anguilla	-	-	-	-	47

NUMBER of PERSONS who have been Apprenticed under the Acts for the Abolition of the Slave Trade, in the Island of Tortola, to 5 May 1829.

101 Males
155 Females
28 Certificates not granted.

TOTAL - - 284

Also 200 Children and 12 Orphans motherless.

— No. 23. —

DESPATCH from Sir George Murray to Governor Maxwell, St. Kitt's.

SIR,

Downing-street, 17th Dec. 1829.

IN answer to your Despatch of the 24th July, relating to Apprenticed Africans and Creoles, I have the honour to transmit to you for your information (as also for that of Mr. Claxton, with reference to his Letter to me of the 10th of October last) the enclosed copy of a Letter from the Secretary to the Treasury upon the subject.

I have, &c.

(signed) *G. Murray.*

(Enclosure.)

SIR,

Treasury Chambers, 3d November 1829.

I HAVE laid before the Lords Commissioners of His Majesty's Treasury your Letter of the 13th ultimo, transmitting the Copies of the Despatch, and its Enclosures, from Governor Maxwell, dated St. Christopher's, the 24th of July last, from which it appears, that the expense

ST. CHRISTOPHER.

expense of supporting captured Africans has ceased in the Islands of St. Christopher's, Nevis and Anguilla, and will, for the future, be greatly diminished in Tortola, in which island some charge must still be incurred for this service; and I am commanded to acquaint you, that my Lords concur in the recommendation of Secretary Sir George Murray, that the Governor of Tortola should be directed to refer to the Collector of the Customs for relief, on the footing of parish paupers, such of the apprenticed Negroes as from infirmity, infancy, or old age, are unable to support themselves; my Lords presuming that this relief will not be extended to infants whose parents are capable of supporting them. My Lords also concur with him in opinion, that the expense of funerals, medicines and medical attendance, in the case of indigent persons who have been Apprentices, ought to be defrayed by the public; and they are willing to authorize an allowance of Fifty Pounds per annum to the person employed by the Collector at Tortola, as Clerk or Assistant in performing his duties in respect of captured Negroes; the allowance to continue so long as the extent of duty shall appear to Sir George Murray to render that allowance necessary; and the charge in the accounts to be vouched by the receipt of the Clerk.

I am, &c.

(signed) *G. R. Dawson,*

—No. 24.—

DESPATCH from Governor *Marwell* to the Right Hon. Sir *George Murray*,
&c. &c. &c.

SIR,

St. Christopher, 3d August 1830.

I HAVE the honour to enclose two Letters from Mr. Collector Claxton at Tortola, on the subject of the Africans under his charge, and I am persuaded you will be extremely pleased to read such a favourable account of them. During my visit at Tortola, I was much gratified with the appearance of many of these persons, and also of the cottages they have erected at their own cost, on land for which they are obliged to pay a high rent; besides this drawback, the premises are much destroyed by stray cattle, goats and pigs. The industry and quiet demeanor of a large body of these Africans, and with a view of encouraging them to improve and continue such laudable conduct, induced me to request Mr. Claxton to ascertain if they could be settled near Road Town, the capital of the Island, at a sufficient distance to keep them out of it, but near enough for them to carry any little article they might have for sale, raise or collect for market, and I beg leave to refer you to his letters, and the estimate on this subject.

If His Majesty's Government will authorize the purchase of the land and expense of locating these Africans, I am firmly of opinion that it will be the saving of considerable expense in future, as it will be the means of enabling them to raise provisions for their nourishment, and having a home for their families, the men will be able to seek for employment either in Tortola or the neighbouring Islands, or to apply themselves to fishing and other pursuits to assist them in improving the comfort of their families.

Mr. Claxton has hitherto shown so much zeal and disinterestedness in his superintendence of these Africans, that I feel convinced; if the recommendation meets with the favourable consideration of His Majesty's Government, he will apply the means that may be granted in the most economical and upright manner. I beg to be permitted to mention, that if His Majesty's Government should be inclined to attend to this proposal, the efficacy of the measure will be greatly enhanced by its being speedily adopted, as the Africans from the inquiries that have been made by questions put to them, are anxiously waiting the result of the proposal.

I have the honour to be, &c. &c. &c.

(signed) *Chas. Marwell.*

LETTER from *Robert Claxton, Esq.* to His Excellency *Charles Wm. Maxwell*,
Captain General, &c. &c. &c. St. Christopher.

ST. CHRISTOPHER.

SIR,

Custom House, Tortola, 10th June 1830.

HAVING now had twelve months' experience of the conduct of liberated Africans, and other persons condemned to His Majesty in this Island, I beg leave to report thereon.

It is a difficult matter to give a correct return of their increase, but I can safely venture to assert that it has been considerably above the decrease; the difficulty arises from some being settled on the adjacent Keys and some at the Danish islands.

As regards their moral improvement, I am happy to have it my power to state the progress to have been highly favourable, as indeed must be satisfactorily evinced in the diminution of expense in gaol fees, warrants, &c. there has not been one single instance of any one of them having been brought before any court of justice, for any crime or misdemeanor since their manumissions were granted.

The expense to paupers must increase, as out of so large a number, many are becoming aged and infirm; and I find a considerable increase of application for relief from those unable to work, and having children to provide for. In fact, when I reflect that my first Report embraced five hundred and six persons, and that since then twelve more have been added, who had not then appeared, I may consider it fortunate that I am not compelled to relieve more.

In respect to their religious improvement, I have made particular inquiry of the Missionaries in this Island, as it comes under their own immediate cognizance, and I find that there are in society thirty-eight men and seventy-seven women, exclusive of those resident on the Keys, though double that number attend public worship, and fifty-three children are regular attendants at the school under their direction.

I regret being unable to make a return, or even a report, of those children attending the school of the Established Church, as there has been no schoolmaster in this Island for some months; indeed, the parents being chiefly followers of the Methodists, it is from their indefatigable exertions that a considerable portion of duty is saved to me in my official situation as their protector; and I feel it due to them, to state to Your Excellency, that any difference of opinion seldom occurs amongst those Africans who are members of that establishment.

The bonus of freedom, as an inducement for their own exertions, appears to be duly appreciated by them; but I humbly submit, that situated as they are in this Island, that bonus requires an accompaniment of means whereby to gain a livelihood. Very many of them are industriously inclined, and do now cultivate land, which they rent themselves; but many are their complaints to me of the trespassing of stock upon their grounds, and materially damaging the cultivation, which by their own industry was flourishing, and promising them an ample return. The very doubtful tenure of the lessor of such lands has prevented my obtaining them redress by an action at law; and I would submit, that it would be an act of justice and humanity for Government to purchase a lot of waste land in this Island and parcel it out to them, reserving to the Crown the right of possession, so as to prevent a sale thereof or transfer by them; and that I should be allowed to assist them in the erection of houses thereon. By this mode all industriously disposed would have no excuse for want of means to gain a livelihood; and I am satisfied, that a few years would witness their rapid progress to independence. There are some eligible waste lands in this Island admirably adapted for such purposes; and Your Excellency's own experience of the different localities must supersede the necessity of pointing them out. A lot belonging to Messrs. Crabb & Isaacs, across the Bay, within sight of this office, would, I think, be eligible, should Government be disposed to listen to this suggestion; and might be purchased for about 500*l.* sterling, about 120 acres; at least that is the sum asked by the parties, but were I authorized to treat for it, I should hope a lesser sum might be taken.

Your Excellency has had lately an opportunity of judging of the several matters stated in this Report, and I hope will concur with me in the statements made herein, and will be pleased to forward my suggestions for the relief of these persons to His Majesty's Government.

I have, &c.

(signed) *Robert Claxton, Collr.*

LETTER from *Robert Claxton, Esq.* to His Excellency Governor Maxwell,
&c. &c. &c.

SIR,

Custom House, Tortola, July 1st, 1830.

IN reference to that part of my Letter of the 10th ult. respecting the purchase of land and erection of houses, as a settlement for Africans and other persons condemned to the Crown, I beg to inclose an estimate of the probable cost of lands and buildings, and the necessary lumber and materials to build cottages, and implements to clear the land, which, if it is the pleasure of His Majesty's Government to grant, shall be laid out to the best advantage, and an account rendered of the quantity and cost of all the articles purchased for this service.

ST. CHRISTOPHER. ESTIMATE of the Cost of Lands and Buildings thereon, proposed for Free Africans and others.

	Sterling.
Dwelling-house, outhouse, &c. now on the land, valued at - -	£. 175 - -
Sixty acres of land attached thereto - - - -	175 - -
Fifty ditto - - - ditto adjoining - - - -	150 - -
Law charges for conveyancing, &c. - - - -	25 - -
To cost of lumber, nails, locks, hinges, hoes, cutlasses, bill-hooks, } carpenters' and masons' tools, at the rate of 5 <i>l.</i> each person } locating, being 100 - - - -	500 - -
£.	1,025 - -

I have the honour to be, &c.

(signed) *Robert Claxton, Collr.*

— No. 25. —

LETTER from *Horace Twiss, Esq.* to the Honourable *J. Stewart*,
&c. &c. &c.

SIR,

Downing-street, 13th October 1830.

I AM directed by Secretary Sir George Murray to transmit to you herewith the copy of a Despatch, with two inclosures from the Governor of St. Christopher's, proposing the purchase of a piece of land in the Island of Tortola with the view of locating the liberated Africans; and I am to request that you will submit the proposal which is contained in Mr. Claxton's Letter to the favourable consideration of the Lord's Commissioners of the Treasury.

I am, &c.

(signed) *H. Twiss.*

— No. 26. —

LETTER from the Honourable *J. Stewart* to Viscount *Howick*,
&c. &c. &c.

MY LORD,

Treasury Chambers, 22d December 1830.

THE Lords Commissioners of His Majesty's Treasury having under their consideration Mr. Horace Twiss's Letter of the 13th of October last, transmitting the copy of a Despatch from the Governor of Saint Christopher's, and its inclosures, proposing the purchase of a piece of land in the Island of Tortola, with a view to locating the liberated Africans thereon, I am commanded to acquaint you that before my Lords come to a decision on the Papers transmitted with Mr. Twiss's Letter, it is necessary that they should be acquainted with the views of the Secretary of State as to the most economical arrangement for disposing of Africans liberated in the West Indies, and that my Lords observe from your Lordship's Letter of the 7th instant, that although there are liberated Africans in fourteen Islands, yet that they are located only in the Bahamas and Tortola, and before my Lords can express an opinion on the expediency of incurring any expense in forming the proposed establishment in Tortola, they are desirous to be acquainted with Viscount Goderich's views as to the best and most economical mode of disposing of those persons who have received, or may receive their freedom.

I am, &c.

(signed) *J. Stewart.*

— No. 27. —

LETTER from Viscount *Howick* to the Honourable *J. Stewart*,
&c. &c. &c.

ST. CHRISTOPHER

SIR,

Downing-street, 31st December 1830.

IN answer to your Letter dated the 22d instant, I am directed by Lord Goderich to inform you that the liberated Africans in the Colonies have in general been disposed of under the instructions of the Circular Despatch from Sir George Murray, of which a copy was enclosed for the information of the Lords Commissioners of the Treasury in Mr. Twiss's Letter of the 6th of April last. Lord Goderich sees no reason to alter the general dispositions thereby made either in respect of the Africans already liberated, or in respect of any which may be liberated in future. With regard to the liberated Africans in the Bahamas and in Tortola; in the Bahamas they were located several years ago by Mr. Poitier, the Collector of the Customs, in whose charge they had been placed, acting by his own judgment and upon his own responsibility; and Lord Goderich sees no reason to doubt that this mode of dealing with them was economical and judicious, or, at least, that it was much better than retaining them under the care of the Collector, as was done in Antigua, at a large annual cost to Government. In Tortola the reasons for locating the liberated Africans are contained in the Despatch from Governor Maxwell of the 3d August, which was transmitted to their Lordships in Mr. Twiss's Letter of the 13th October last. Lord Goderich assents to the validity of those reasons, but he does not propose the location of the Africans in any other Colony, because it is only in one other, Antigua, that they appear to be in sufficient numbers to form a settlement; and he is not aware that there is in that Island any land which could be obtained on such terms as would render the measure an economical one.

I have, &c.

(signed) *Howick.*

— No. 28. —

LETTER from the Honourable *J. Stewart* to Viscount *Howick*,
&c. &c. &c.

MY LORD,

Treasury Chambers, 2d March 1831.

I AM commanded by the Lords Commissioners of His Majesty's Treasury to acquaint you, for the information of Secretary Viscount Goderich, with reference to your Letter of the 31st of December last, that under the circumstances stated in Mr. Horace Twiss's Letter of the 13th of October last, their Lordships are pleased to approve of the purchase of the land and materials therein referred to, for locating the liberated Africans, &c. in the Island of Tortola, at an expense not exceeding the sum of 1,025*l.* sterling; and my Lords will give directions for the payment of such bills as may be drawn on this Board by the Governor of Tortola, on account of this service, not exceeding the above-mentioned sum; and I am to request that your Lordship will move Viscount Goderich to give such directions as he may deem necessary for the proper execution of this service; acquainting him, at the same time, that my Lords consider that it would be proper that an Account should be rendered of quantity and cost of all the articles purchased for this service; and that the right of the Crown to the possession of the land purchased should be reserved, so as to prevent a sale thereof, or transfer, by the occupiers.

I am, &c.

(signed) *J. Stewart.*

— No. 29. —

ST. CHRISTOPHER.

DESPATCH from the Right Hon. Viscount *Goderich* to Governor *Marwell*,
&c. &c. &c.

SIR,

Downing-street, 2d March 1831.

WITH reference to your Despatch, dated the 3d of August last, addressed to my predecessor respecting the purchase of a piece of land in the Island of Tortola, with the view of locating the liberated Africans, I have the honour to transmit to you, for your information and guidance, the copy of a Letter from the Secretary of the Lords Commissioners of the Treasury, approving the proposal contained in your Despatch.

I have, &c.

(signed) *Goderich*.

2d March 1831.

— No. 30. —

DESPATCH from Governor *Marwell* to the Right Hon. Viscount *Goderich*,
&c. &c. &c.

MY LORD,

Nevis, 6th July 1831.

WITH reference to your Lordship's Despatch of the 2d of last March, concerning the copy of a Letter from the Secretary of the Lords Commissioners of His Majesty's Treasury, notifying that their Lordships had been pleased to grant the sum of 1,025*l.* for the purchase of land and materials for locating the liberated Africans in the Island of Tortola, I have the honour to acquaint your Lordship, that upon this authority I directed Mr. Collector Claxton to carry this desirable object into effect, which, with the utmost zeal and alacrity, he immediately commenced, and has made great progress; but he reports to me, that he has been obliged to purchase two parcels of land that could not be dispensed with; and that the price of materials are so enhanced since the plan was first in contemplation, that the fund allotted for building the cottages is short of the sum that will be required to provide cover for the 160 adults and 190 children; and to meet any unavoidable expenses attendant upon an establishment of the kind, which cannot be foreseen.

On this subject I beg to enclose a copy of my Letter to the Secretary of the Lords Commissioners of His Majesty's Treasury, and to request your Lordship to afford me your support and influence with their Lordships, to induce them to accede to the additional 300*l.* I have ventured to draw, without waiting to know their Lordships' pleasure, as the season of the year, and the urgent necessity of providing shelter for these Africans before the rains set in, has induced me to adopt this measure.

I have the honour to be, &c. &c.

(signed) *Chas. W. Marwell*.6th July 1831.
To Mr. Stewart.LETTER from Governor *Marwell* to the Honourable *J. Stewart*,
&c. &c. &c.

SIR,

Nevis, 6th July 1831.

I HAVE the honour to acquaint you, for the information of the Right Honourable the Lords Commissioners of His Majesty's Treasury, and with reference to the sum of 1,025*l.*, which their Lordships have been pleased to grant for the purchase of land and materials for locating the liberated Africans in the Island of Tortola, that the amount has been drawn for by bills in favour of Mr. Collector Claxton, who with the most indefatigable zeal and attention, has in a great degree completed the service.

Owing to the necessity that has occurred of purchasing some additional land, and a very unexpected increase in the price of materials, Mr. Claxton has reported that the above sum is inadequate to the completion of this essential measure; I have, therefore, ventured to draw a bill for a further sum of 300*l.* which I am fully persuaded will be most satisfactorily accounted for by that gentleman, when he makes his report upon the service.

ST. CHRISTOPHER.

I beg to assure their Lordships, that I have been induced to exceed the limit prescribed by them, from a thorough conviction of the necessity and sound policy in these times, of affording every reasonable protection to those Africans who have been taken under the care of His Majesty's Government; and that, owing to the advanced state of the season, it is expedient to put them under shelter before the rains set in, otherwise I would have deferred drawing this additional sum, until I had obtained their Lordships' sanction.

I have had the honour to forward to Viscount Goderich a copy of this Despatch, and requested his Lordship to communicate with the Lords Commissioners on this subject.

I have the honour to be, &c. &c. &c.

(signed) *Chas W^m Maxwell.*

— No. 31. —

DESPATCH from Sir *Charles Brisbane* to the Right Hon. Sir *G. Murray*,
&c. &c. &c.

ST. VINCENT.

SIR, Government House, St. Vincent, 26th Nov. 1828.

I HAVE the honour to acknowledge the receipt of your Circular of 16th October last, relative to the African Apprentices; and shall not fail to carry into immediate execution the instructions therein given.

I have the honour to be, &c. &c. &c.

(signed) *C. Brisbane.*

— No. 32. —

DESPATCH from Sir *Charles Brisbane* to the Right Hon. Sir *G. Murray*,
&c. &c. &c.

SIR, Government House, St. Vincent, 10th April 1829.

I HAVE now the honour to transmit for your information the accompanying Return, of all Persons now living within this Government, who have been apprenticed under the Acts for the Abolition of the Slave Trade; distinguishing such of the Apprentices as have served out the whole of their Indentures, and the period which remains to be served by each of those whose apprenticeship is yet unexpired.

I am also to acquaint you, that I did personally inspect the Africans enumerated in the accompanying List, with the exception of four who were in the country and did not appear; and to those whose term of apprenticeship has expired, I did not fail to explain and impress on their minds the privileges and advantages bestowed on them by His Majesty's Government; at the same time apprizing them, that any offence against the peace of society, will subject them to the serious displeasure of His Majesty, and occasion their removal hence to some other part of the King's Dominions, where they will be constrained to labour for their subsistence.

I think it worthy of remark, that no one of these persons have devoted themselves to agricultural pursuits in so favoured and prolific a soil as this is; and it is no less singular, that the offspring of the females are the children of the male slaves.

I have the honour to be, &c. &c. &c.

(signed) *C. Brisbane.*

(Enclosure.)

ST. VINCENT.

AFRICAN APPRENTICES mustered at St. Vincent, 27 February 1829.
18 Males.—4 Females.—3 Children.

AFRICAN APPRENTICES who appeared at the Court-house of St. Vincent, 27 February 1829,
13 in number, viz. :—

- 9. with five years of term unexpired.
- 1 whole term expired.
- 3 not apprenticed; under the charge of the Collector of Customs.

13

— No. 33. —

TRINIDAD.

DESPATCH from Colonel *Farquharson* to the Right Hon. Sir *G. Murray*,
&c. &c. &c.

SIR,

Trinidad, 29th November 1828.

I HAVE had the honour to receive your Circular Despatch of the 16th of October regarding the Apprenticed Africans in His Majesty's Colonies in the West Indies; and I hasten to assure you, that I shall take the earliest opportunity of implicitly obeying your directions with regard to them.

I have the honour to be,

Sir,

Your obedient humble servant,

(signed) *J. A. Farquharson*, Col.

**AFRICANS CAPTURED:
APPRENTICED AFRICANS.**

C O P I E S

OF ANY

Reports made to His Majesty's Government from the Governors or other proper Officers in the different Slave Colonies belonging to His Majesty, respecting the State, Treatment, Employment, or complete Emancipation, of Africans condemned to His Majesty, under the Acts abolishing the Slave Trade, since 16 October 1828:—
Any Instructions given with reference to Reports of Commissioners of Inquiry, relative to the State of Apprenticed Africans, with any Reports received in consequence of those Instructions.

*Ordered, by The House of Commons, to be Printed,
6 October 1831.*

JAMAICA.

FURTHER RETURN to an Address of the Honourable The House of Commons,
dated 15 December 1830;—for

C O P I E S

OF ALL

COMMUNICATIONS relative to the reported Maltreatment
of a Slave named *Henry Williams*, in *Jamaica*.

(*In Continuation of Paper, No. 91, ordered to be printed, 23 December 1830.*)

Colonial Department,
Downing-street,
13 July 1831. }

HOWICK.

Ordered, by The House of Commons, to be Printed,
15 July 1831.

SCHEDULE.

No.

- 1.—Copy of a Despatch from the Earl of Belmore to Viscount Goderich, dated King's House, Jamaica, 1st February 1831 (with four enclosures) - - - p. 3
- 2.—Copy of a Despatch from Viscount Goderich to the Earl of Belmore; dated Downing-street, 9th May 1831 - - - - - p. 7
- 3.—Copy of a Despatch from the Earl of Belmore to Viscount Goderich; dated King's House, Jamaica, 4th April 1831 - - - - - p. 8

C O P I E S

OF ALL

COMMUNICATIONS relative to the reported Maltreatment
of a Slave named *Henry Williams*, in *Jamaica*.

— No. 1. —

Copy of a DESPATCH from the Earl of *Belmore* to Viscount *Goderich*;
with Four Enclosures.

MY LORD,

King's House, Jamaica, 1st Feb. 1831.

I HAVE had the honour to receive your Lordship's despatches of the dates stated in the margin, and regret to learn that the measures I thought it my duty to adopt in the case of a complaint referred to me by the Colonial-office of Mr. Whitehouse against Messrs. Betty and Bridges are deemed by your Lordship unsatisfactory.

9 December.
11 December.
14 December.

To answer your Lordship's despatches seriatim I am to observe that the various documents which accompanied Mr. Townley's communication to the Colonial-office are accurate copies of the correspondence between my Secretary and Mr. Whitehouse.

My instruction from Sir George Murray was to transmit copies of the charges against Mr. Betty and Mr. Bridges to those persons, and to acquaint them that I was ready to receive such explanatory statements as they might think proper to make; and that with the assistance of the Crown-officer I should afterwards examine such statements for the purpose of ascertaining whether it was necessary to inquire further into the truth of Mr. Whitehouse's story; to call upon him to substantiate it; and finally to transmit to Sir George Murray my report and opinion, together with the materials on which they were founded.

I thought I had complied implicitly with my instruction. I transmitted copies of Mr. Whitehouse's charges to Messrs. Betty and Bridges; and when I received their answer, I consulted the Attorney-General whether any and what further proceedings were necessary. Your Lordship is in possession of the Attorney-General's opinion, a copy of which is enclosed, and upon that opinion I acted. The object of my instruction appeared to me directed to *inquiry*, and if it should appear to the Crown-officer necessary to institute legal proceedings, to direct him to do so. I was not expected to act on my own individual opinion; and if Mr. Whitehouse, from the nature of the law relating to Slaves, was unable to substantiate his charge, the blame attaches to the law, and not to me. The letter from my Secretary, which has called for an expression of your Lordship's displeasure, did, with the exception of one ill-chosen word, detail substantially my sentiments to Mr. Whitehouse; and with all deference to your Lordship's better judgment, I still think Mr. Whitehouse's communication to me was desultory and inconclusive, and rather framed with a view of creating a belief that no relief could be obtained against oppression from the authorities of the Island, than for any useful or practical purpose.

Mr. Bullock's letter was written during my absence from the seat of government, and on my return, when he called my attention to the unfortunate expression of "impertinent" which he had used, and which I considered highly objectionable, as it certainly did admit of an offensive construction, although Mr. Bullock explained

4. JAMAICA:—COMMUNICATIONS RELATIVE TO THE

to me that it had been used as synonymous to, irrelevant, or not appertaining to the subject. Your Lordship very naturally observes that Mr. Bullock ought to have disavowed any intentional incivility to Mr. Whitehouse; and it is only due to him to inform your Lordship that he did write to Mr. Whitehouse, expressing his regret at having employed an expression which could be considered offensive or inconsistent with the civility or decorum of official correspondence. I have the honour to enclose to your Lordship the copy of a letter I have received from Mr. Bullock on the subject, as he is very desirous of removing any impression from your Lordship's mind that he has any hostile feeling towards Dissenting Ministers.

Had I been in possession of your Lordship's despatch of 9th December last, I perhaps might have felt myself authorized to have suspended Mr. Betty from the magistracy, on account of what might have been deemed his contumacious refusal to satisfy the inquiries of His Majesty's Government; but Sir George Murray's instructions gave me no such authority; it being possibly supposed that The King's displeasure would have had greater effect, proceeding direct from the Secretary of State, than if it had appeared to have originated with the Governor of Jamaica; and I submit to your Lordship's judgment, whether at the time when I was in correspondence with the Colonial Secretary on this subject any interference on my part might not have been deemed premature.

I have never refused my countenance and protection to ministers of religion of all persuasions, nor do I participate in the prejudices which are supposed to prevail here against those who dissent from the doctrines of the Established Church. On the contrary, I am fully sensible of the great benefits which have resulted to mankind from the diffusion of religious instruction, and I employed all my influence to remove from the slave-law any insidious allusion or distinction affecting dissenting ministers.

I can with great truth assure your Lordship that my anxious desire in this, and has been in all other cases referred to me, was to carry into effect the instructions of His Majesty's Government according to the best of my judgment; and I am still at a loss to know what other course I could have pursued towards Mr. Whitehouse, or how his complaint could have been disposed of otherwise than before the legal tribunals. The Attorney-General advised me to call upon Mr. Whitehouse to substantiate his complaint against Mr. Betty, by transmitting authentic documents, verified on oath, to the Crown-office, when proceedings would be adopted consonant with the principles of British judicature, to obtain a full and impartial investigation of the matter, so as to ensure a legal conviction or acquittal. With this advice I complied, and shortly afterwards Mr. Betty's death rendered all further consideration of this subject unnecessary.

I cannot conclude this despatch without informing your Lordship that I thought it only just to the Rev. Mr. Bridges, to afford him an opportunity of satisfying your Lordship's doubts, whether or not he had encouraged Mr. Betty to send Henry Williams to gaol for attending a Methodist meeting, and enclose his answer to a communication I directed to be made to him on this subject.

I have, &c.

(signed) BELMORE.

(Enclosure, No. 1.)

SIR,

King's-House, 27th July, 1830.

I ENCLOSE for your information the Copy of a Despatch from the Colonial-office, of 6th May last, accompanied by an extract of a communication which had been received from the Wesleyan Missionary Society.

I further enclose the copy of a letter addressed by the direction of his Excellency the Governor to Mr. Betty and the Rev. G. W. Bridges, with Mr. Betty's and Mr. Bridges's answers thereto; and as his Excellency is instructed by Sir George Murray, with the assistance of his confidential legal advisers, to examine this

this statement of Mr. Betty, for the purpose of ascertaining whether it will be necessary to inquire further into the truth of the account given by Mr. Whitehouse; His Excellency requests that you will take this document into your consideration, and report to him your opinion whether any and what further proceedings are necessary, holding in recollection, that Mr. Betty positively refuses to enter into any discussion with Mr. Whitehouse.

Hon. Mr. Attorney-General.

I have, &c.
(signed) *W. Bullock.*

(Enclosure, No. 2.)

SIR,

Spanish Town, 27th August, 1830.

I BEG leave to acknowledge the receipt of your letter of the 10th instant enclosing copies of a despatch from the Colonial-office of the 6th of May, and of communications from Mr. Betty and the Rev. G. W. Bridges, and requesting that I would take the same into consideration, and report to his Excellency the Governor my opinion whether any and what further proceedings are necessary to be adopted.

Adverting to that part of Sir George Murray's letter to the Earl of Belmore, in which he states that should "His Lordship receive explanatory statements from Messrs. Betty and Bridges, he was to examine them for the purpose of ascertaining whether it were necessary to inquire further into the truth of the account given by Mr. Whitehouse, and to call upon him to substantiate it." And as both Mr. Betty and Mr. Bridges decline to enter into any discussion whatever with Mr. Whitehouse on the merits or demerits of the complaint preferred by him against them, I am unable to form any opinion on the statement of Mr. Whitehouse, uncorroborated as it is even by the oath of the accuser himself, or by the testimony of others who are competent to substantiate the same before the ordinary tribunals of the country.

I take the liberty therefore of recommending his Excellency the Governor to direct a communication to be made to Mr. Whitehouse, that if he be prepared to substantiate the complaint which he has made against Mr. Betty, that his proper course to pursue is to lay authentic documents, verified by oath, in the Crown-office, where proceedings will be adopted consonant with the principle of British judicature, to obtain a full and impartial investigation of the matter, so as to ensure a legal conviction or acquittal.

As far as the Rev. G. W. Bridges is implicated, it is but justice that I should convey to his Excellency my humble opinion that he has refuted the charges which tend to cast a reflection on his character as a Clergyman, by the unjust insinuations of harshness and severity, by the confinement of two of his domestics in the Rodney Hall workhouse, which is designated by Whitehouse "as the seat of darkness;" whereas it appears that one is a criminal, sentenced by the laws of the islands for imprisonment for life, and the other is employed as an hired domestic by his own free will and consent.

The alleged punishment of a Slave not the property of Mr. Bridges is distinctly denied, and relates to an occurrence which took place several years back, where he was ordered off the property where he was detected passing on the provision-grounds of Mr. Bridges's servants, since which period Mr. Bridges states he has evinced towards the same individual trifling acts of kindness, which Mr. Whitehouse has illiberally converted into measures of compromise to avert a prosecution.

I have, &c.

W. Bullock, Esq.

(signed) *Hugo James.*

(Enclosure, No. 3.)

MY LORD,

Spanish Town, 1st February 1831.

I AM very much concerned to find that an unfortunate expression I made use of in conveying your Lordship's sentiments to Mr. Whitehouse should have drawn upon me the displeasure of Lord Goderich.

The expression was singularly ill-chosen, particularly in a letter in your Lordship's name, and to a person not inclined to put the most liberal construction on language employed towards him.

I think it will be in your Lordship's recollection, that I mentioned the circumstance to you shortly after my letter was despatched, and I then anticipated the construction which Mr. Whitehouse would put upon it. I certainly had not anticipated that it would form the subject of a grave charge against me to the Colonial-office, more especially as I wrote to Mr. Whitehouse, stating my regret at having made use of the word "impertinent," which I had used as synonymous to "irrelevant," or not appertaining to the subject.

Perhaps it might have been expected that Mr. Whitehouse would have had the candour to state my explanation, which would have rendered unnecessary the admonition your Lordship is directed to give, to avoid in future language calculated to give pain.

I must here appeal to your Lordship's justice, whether I have not, upon all occasions, been particularly cautious not to employ my own language in conveying your sentiments; whether I have not often sent to your Lordship drafts of letters for your perusal, from an apprehension that your sentiments might not exactly correspond with mine; and having acted as private Secretary to the different Governors for the last 20 years, I trust I have never been found employing in letters written by their order expressions which they could disapprove of.

As for any supposed feeling I could have in writing to Mr. Whitehouse in any other manner than I should to any other person, I certainly do not feel it necessary to defend myself. I never saw that person in my life. I have never felt any prejudice against Ministers of any persuasion. Indeed the only instance when I did interfere, and with effect, was, when I thought two persons had been improperly treated by two magistrates of St. Ann, and I strongly recommended Sir John Keane to dismiss them from the magistracy.

I have, &c.

His Excellency
The Earl of Belmore.

(signed) *W. Bullock.*

(Enclosure, No. 4.)

SIR,

St. Ann, 26th January 1831.

I BEG to return my most grateful acknowledgment to his Excellency the Governor for affording me an opportunity of removing a doubt which appears to be entertained by Lord Goderich, whether I had encouraged the late Mr. Betty to send Henry Williams to gaol for attending a Methodist meeting.

Perhaps the simplest mode of satisfying his Lordship will be by the following extract of my communication to his Excellency the Governor, of 25th July last, in answer to the charge which Mr. Whitehouse had thought proper to prefer against me, a copy of which communication was, I presume, transmitted to the Colonial-office:

"I am first charged with having encouraged Mr. Betty, a magistrate of my parish, in his alleged severity against a negro who belongs to a property adjoining my residence, because that negro was a sectarian.

"I undoubtedly did use all my persuasion to rescue that negro from the trammels of sectarianism; and as he appeared an intelligent person, I felt a particular

ticular interest in the success of my exertions, especially as I knew that it was the anxious desire of his manager that he should not continue to attend these itinerant preachers. During the time my church was under repair, I performed Divine Service, sometimes to very large congregations, at my own house, to which I invited all around me, and amongst others the Slaves belonging to Rural Retreat. But I used no threat—no compulsion; nor indeed could I use any with those who are not under my control.”

I will venture to add another extract from the same communication, and having done so, I shall be no longer suspected of employing any other means than gentleness to bring back Dissenters to the communion of the Established Church.

“ When I observe around me many who were contented, now poor, spiritless, and dejected, I cannot, as a Christian clergyman, behold the progress of such extensive mischief without employing my humble, but zealous endeavours to save my flock from wholesale misery. But I have never controlled their religious feeling by unfair means. My house is open to family prayers every evening; but I have confined my interference to inviting them there, and to the offer of my best advice.”

I have, &c.

W. Bullock, Esq.

(signed) C. W. Bridges.

— No. 2. —

COPY of a DESPATCH from Viscount *Goderich* to the Earl of *Belmore*,
dated Downing-street, 9 May 1831.

MY LORD,

Downing-street, 9 May 1831.

I HAVE had the honour to receive your Lordship's despatch dated the 1st February last, respecting the case of Mr. Whitehouse.

I am happy to acknowledge that the course of proceeding adopted by your Lordship was in strict conformity with Sir George Murray's instructions. The question upon which your Lordship's judgment is at variance with my own, is, whether under the circumstances of the case, which Sir George Murray did not contemplate, it would not have been more fit that the local government should themselves undertake the investigation urged upon them by Mr. Whitehouse, and whether the case was properly disposed of by requiring that gentleman to undertake, at his own risk, the office of public prosecutor. Although I have the misfortune still to differ from your Lordship on these points, I must entirely disavow any intention of attributing to you a deficiency of zeal for His Majesty's service, or for the protection of the Slave population of Jamaica.

I am happy to learn that the equivocal word used by Mr. Bullock in his letter to Mr. Whitehouse was not really employed in its more harsh and ordinary sense, and that Mr. Bullock apologized by a subsequent letter for the inadvertent use of an expression susceptible of such a construction,

The opinion of the Attorney-General of Jamaica of the 27th of August last, to which you have referred, does certainly point out the precise course of proceeding which was afterwards adopted, with reference to the complaints of Mr. Whitehouse, and demonstrates that your Lordship acted with the full sanction of the highest legal authority within your reach.

I exceedingly regret that the terms of my former despatches on this should have occasioned your Lordship any uneasiness, or that they should have subjected you to the trouble of entering into further explanations of motives by which you were

8 JAMAICA:—COMMUNICATIONS RELATIVE TO THE

guided. I am so sensible of the difficulties connected with the government of Jamaica at the present time, that I cannot make any addition to them without extreme reluctance; I could therefore wish to close this correspondence with assuring your Lordship that the mere difference of opinion which may happen to arise between us as to the most proper mode of conducting a particular inquiry is in no degree incompatible with the highest respect for your Lordship's judgment, or with the most implicit confidence on your justice and humanity.

I have, &c.
(signed) GODERICH.

— No. 3. —

Copy of a DESPATCH from the Earl of *Belmore* to Viscount *Goderich*,
dated King's House, Jamaica, 4th April 1831.

MY LORD,

King's House, Jamaica, 4th April 1831.

REFERRING to your Lordship's despatch of 18th February last, relative to the proceedings of the grand jury in the case of Mr. Bridges, I have the honour to inform your Lordship that Mr. Bridges's name is not in the commission of the peace.

I have, &c.
(signed) BELMORE.

Desp. 18 July 1831.
Vide Paper, No. 231.
Ordered to be
Printed, 10 March
1831.

J A M A I C A.

FURTHER RETURN to an Address of the Honourable The
House of Commons, dated 16 December 1830 ;—for

COPIES of all COMMUNICATIONS relative to the
reported Maltreatment of a Slave named *Henry*
Williams, in *Jamaica*.

(In continuation of Paper, No. 91, Ordered to be Printed,
23 December 1830.)

Ordered, by The House of Commons, to be Printed,
15 July 1830.

**SLAVE EMANCIPATION:
CROWN SLAVES.**

RETURN to an Address to His Majesty, dated 18 August 1831;—for,

COPIES of the several ORDERS sent to the COLONIES for emancipating the SLAVES belonging to the CROWN, and of any Report (subsequent to that already presented to the House) made to His Majesty's Secretary of State for the Colonies, from the Governors of the Colonies, in relation to that Measure, and any Directions as to the Means by which the Slaves emancipated are to be maintained.

Colonial Department,
Downing-street,
6 October 1831. }

HOWICK.

*Ordered, by The House of Commons, to be Printed,
6 October 1831.*

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CROWN SLAVES.

—1.—

CIRCULAR to all the SLAVE COLONIES except *Mauritius*.

SIR,

Downing-street, 12 March 1831.

HIS Majesty's Government have had under their serious consideration the circumstance, that in several of His Majesty's Possessions abroad, there are Negroes held in Slavery as the property of the Crown. The King's Government have felt it their duty humbly to represent to His Majesty, that this is a species of property which many considerations concur to recommend that the Crown should forthwith relinquish; and His Majesty has been graciously pleased to direct, that measures should be taken accordingly, for releasing these Negroes.

From all the inquiries which I have been enabled to make, I am not led to apprehend, that any practical inconvenience will arise either to these persons themselves or to the Colonial communities of which they are a part, from their immediate enfranchisement. In the year 1828, a Circular Instruction, of which I enclose you a Copy,* was issued to the Governors of those Colonies, in which there were Negroes forfeited to the Crown, under the Abolition Laws, the purport of which was, to direct that those Negroes should be placed upon the footing of other free persons of African birth or descent, and left to seek their own subsistence. In some of those Colonies, the number of forfeited Negroes amounted to several hundreds. The Reports which have since been received from the respective Governors, fully justify the expectations which were entertained, that the people in question would be able and willing to support themselves by honest means, without being a charge upon the funds either of the Government or of the Colonies, and without detriment to the Colonial societies. The experience thus obtained affords a satisfactory assurance that the Negroes, now the property of the Crown, will, when manumitted, support themselves by their own exertions, in a manner equally innocuous. I am aware, however, that in the case of these Negroes, as of others, some instances will probably occur in which the aid of Government may be required by persons who are incapacitated, through age or infirmity. Cases such as these must be provided for in the manner which you will perceive to have been pointed out by the enclosed Despatch, in regard to similar cases occurring amongst the forfeited Negroes after their manumission. The charge which such a provision has been found to impose upon Government, is of very trifling amount.

* Dated 16 Oct. 1828, *vide* Papers on Apprenticed Africans, ordered to be printed, by the House of Commons, 6 October 1831. No. 304.

I understand that many of the Slaves belonging to the Crown in the Colonies, are either given gratuitously or let out to public functionaries. It may thus be necessary to give time to their employers either to make agreements with the Negroes, for retaining their voluntary services, in return for wages, after their manumission, or to supply themselves in some other way with the services which they require. You will therefore allow one month, and no more, to elapse, before you carry into full effect His Majesty's commands, by completing the Enfranchisement of all Negroes the property of the Crown.

I have, &c.

(signed) *Goderich*.

— 2. —

SPECIAL INSTRUCTIONS respecting the **LIBERATION** of **CROWN SLAVES** in *Mauritius*, to which Colony the Circular Instruction was considered inapplicable, owing to the numbers of the Crown Slaves there, and other circumstances.

To Sir C. Colville, &c. &c. &c.

SIR,

Downing-street, 29th July 1831.

MAURITIUS.

IN conformity with the intention expressed in my Despatch of the 28th instant, I proceed to address you separately on the subject of the liberation of Government Slaves. This important question has occupied the serious attention of His Majesty's Government, and I have not failed to consult the Despatches from the Colony upon it, as well as the Reports of the Commissioners. Upon the whole, I have come to the conclusion, that although the labour of the Government Slaves, as *Slaves*, will not be henceforth available for the Public Service, in the various departments in which they are employed, yet it is not necessary to take any such measure for their general location, as is recommended by the Commissioners, whereby they would be precluded from continuing in the employment of the public under a voluntary engagement. The Colonial Government will continue to have a demand for their services, more or less; and as their maintenance and management as Government Slaves, amounts to upwards of 7,000*l.* per annum, whilst the numbers employed in labour, which the public must necessarily pay, seem to be under 500, I apprehend that, although probably no saving may be effected by the liberation of these Slaves, yet that such numbers of them as are really wanted, might, if they were willing, be continued upon wages, without involving much additional charge upon the Colonial revenues. It is not, however, with reference to considerations of economy, that His Majesty's Government have resolved upon the enfranchisement of Slaves belonging to the Crown in Mauritius and elsewhere. Considerations of a general nature, and of great importance, have induced them to regard such a measure as one which is absolutely indispensable, and which must be carried into effect without any further delay than may be necessary for ensuring, as far as possible, the future welfare and good conduct of the Negroes in question. After having given the most careful attention, therefore, to the several modes by which it appeared practicable to dispose of these people, with due regard for the interests of the Colonial society, as well as for their own, it has appeared to His Majesty's Government, that the following are the principles on which the measure may be best executed:—

1st. The Enfranchisement of all Government Slaves whatsoever is to be effected within twelve months from the date of your receipt of this Despatch.

2dly. Wages at the market rate of the Colony are to be offered to those who may, at the time of their enfranchisement, be employed as labourers, couriers, messengers, boatmen or mechanics in the several departments of the Public Service; and the same wages are to be secured to them for one year from that time, provided they be willing to work, and do actually perform a fair portion of work in return for such wages. After the expiration of the year they will continue to be hired, or not, according to the demands of the public service for their labour, as well as according to their willingness to be employed.

3rdly. Those who are employed as domestic servants by the Governor or other public officers, will, of course, be at liberty to enter into contracts for continuing their services to their employers, if desired, in return for wages, the amount of which must be adjusted by the parties as in other cases of hiring free servants, but the wages must be paid by the officers and not from the Colonial Revenue.

4thly. The issue of rations, clothes, or other allowances must cease from the date of their liberation, in respect of all the Negroes, except in cases hereinafter specified; and except the aged, the infirm, and the orphans, who must continue to be maintained at the public charge.

5thly. For those to whom the public service does not afford a prospect of employment on wages, and also for those domestics whom their present employers are

are unwilling to retain on wages, it will be necessary that some provision should be made, if there be no such demand for their labour in the Colony, as will enable them to subsist themselves. In this case, grants of land sufficient for their subsistence must be assigned to them, together with a supply of such implements as may be necessary for the cultivation thereof, and rations for one year, as recommended by the Commissioners of Eastern Inquiry. Whether an issue of rations for a further period be required, (as conjectured by the Commissioners of Colonial Inquiry,) will be seen at the expiration of the former; and unless it be absolutely indispensable for the subsistence of the Negroes, it must not be permitted.

6thly. Those who are hired out by the Government to private individuals, will be at liberty to continue in the service of those individuals on the same terms, with the difference of receiving for themselves as wages, the amount of their hire, and relinquishing their claim upon the Government for clothing and maintenance. If they are unwilling to continue in those situations they will be free to quit them; but they must fully understand, that if they do so voluntarily, not being discharged by their employers, they will not receive any assistance from the Government in seeking the means of subsistence. If any be discharged by their present employers, and are unable to meet with others, they may be located on grants of land, under the same rules of location as I have already prescribed.

7thly. Those who have been apprenticed must serve out the terms of their Apprenticeships, but must be subject to no other discipline or controul than is lawfully in use in respect of apprentices of free condition.

8thly. In carrying into effect the liberation of the Government Slaves, you will not fail to attach to the Grants of Freedom, a Proviso that the persons so enfranchised shall not be capable of holding any property in Slaves. There are many considerations, to which it is not necessary that I should here advert, which render it highly important that such a condition should in every instance be strictly enforced.

You will perceive that, in giving you these Instructions, I have adopted but very partially the suggestions of the Commissioners of Eastern Inquiry. The Commissioners propose an indiscriminate offer of allotments of land to all the Negroes who may desire it. I, on the contrary, have not found any sufficient reason for inducing a number of Negroes to withdraw themselves from the employments in the Public Service to which they have been accustomed; since their continuance in those employments would apparently at once afford to the Public Departments the supply of labour which they require, and afford to the Negroes the wages which may be necessary for their subsistence, and which, if not received by them, must be given to others. So long as the Negro is placed in the situation of a free man, and enjoys all the rights and privileges of freedom, I desire to avoid any further change. The Commissioners contemplate the postponement of complete enfranchisement for a period of three years, one third of the labour of the Negroes being given to the Government in the intermediate time; whereas the object of my instructions is to effect the enfranchisement as early as possible. The Commissioners have not entered into any explanation of their reasons for recommending delay. They have not explained whether their purpose was to compensate the Government, more or less, by the partial exaction of labour, for the cost of rations, &c., for one year, which their plan of location involved; or whether they conceived that, in the course of a graduated transition from slavery to freedom, the Negroes would undergo some desirable preparation for the latter state. I have, indeed, been informed that the Government Slaves bear the character of an ill-conducted and disorderly class of people, and I fear there is too much reason to suppose that their situation has been such as very naturally to render them so. Whilst their physical condition has been in all probability more easy than that of other Slaves, their exemption from the pressure of private interest in the exaction of labour, has been accompanied by an equal exemption from that domestic discipline which would be the more required the less they were employed, and which results to other persons in the condition of slavery, from an identification, to a certain extent, of the moral interests of the Slave with the pecuniary advantage of the owner. I can easily believe, therefore, that, under such circumstances as these, emancipated from domestic restraint, and nevertheless deprived of the motives for good conduct which self-dependence generates, the Government Negroes may have acquired irregular and disorderly habits of life. But whilst I attribute the evil

MAURITIUS.

to the modified state of slavery in which they have lived, I cannot, of course, admit, that a further modification of that state would cure it, or prepare the way for any thing better. The proposals of the Commissioners are not explicit as to the system of discipline or coercion under which the Negroes are to cultivate their own grounds during the four days of the week given them for that purpose; they merely recommend that instruction in the mode of cultivation should be afforded by an overseer, and rather imply, therefore, that the Negroes are to be left to perform the requisite labour, or not, as they are disposed; and that they are to be placed under no constraint at all, except for two days in the week, whilst subsistence is secured to them for the time being, whatever be their course of life or their quantum of exertion. I cannot regard as a measure of moral improvement and preparation for freedom, this further relaxation of the bonds of slavery, unaccompanied by any substitution of that natural discipline of circumstances, which governs the conduct of the labouring classes in a state of freedom. I perceive much less objection to an exchange at once of all the obligations of slavery for the obligations, such as they are, of freedom; and my desire would be, in all cases, were it possible in all, to withdraw every means of subsistence which is not derived from voluntary and independent labour. For these reasons I have approved the system of location and the issue of rations, &c. after enfranchisement, only in those cases where it may be absolutely necessary, owing to the possible absence of demand, public or private, for the services of liberated Negroes. In such cases it would neither be just to the Negroes themselves, nor to the free Colonial society, to throw them suddenly upon that society without the means of subsistence; and the evil of the measure would be greater than any which may be anticipated from admitting the system of location in those particular cases. In cases where public employment or wages cannot be offered, I must leave it to your discretion to adopt the best means for resolving any doubt which may arise whether the Negro have, or have not, the means of procuring subsistence without claiming land or rations.

Such are the views which His Majesty's Government have been led to entertain of the manner in which the Government Slaves may be liberated, with the best prospect of benefit to themselves, and the least risk of injury to the interests of the Colony. They are not unconscious, however, that the subject is one of considerable difficulty; and that the liberation of the Slaves belonging to the Crown, in Mauritius, requires to be proceeded in with the more caution, on account of their numbers and of the habits of life which, through whatever fault of management, or other cause, they are said to have acquired. In the West India Colonies, the apprenticed Negroes were (as you will perceive by the enclosed printed copy of Papers laid before Parliament,) liberated at once, and their conduct as free men, has not led to any complaints; and in the island of Antigua, where they were most numerous, has been very favourably reported, upon by the Governor. The result of this measure has therefore appeared to justify His Majesty's Government in directing the immediate enfranchisement of the Government Slaves in the West Indies, of whom, in respect to general behaviour and habits of life, they had no reason to think less favourably than of the apprenticed Africans. But the character of the Government Slaves in Mauritius, is represented to be so bad, that the difficulty of devising proper measures for accomplishing their liberation, is considerably increased. I have thus been induced to admit of twelve months delay in carrying it into effect; and if the opinions of yourself and the Council, should not coincide with my own, as to the best means of executing this indispensable measure, you will have an opportunity, within that period, of suggesting such modifications or substitutions as may be desired. You will be pleased, however, to understand, that whatever plan may be proposed, must contemplate the adoption of the necessary measures within twelve months from your receipt of this Despatch, and must be directed towards placing the Negroes in a condition comprizing all the essentials of freedom.

I have the honour to be, &c.

(signed)

Goderich.

— 3. —

DESPATCH from Sir James Lyon to the Right Hon^{ble} Viscount Goderich,
&c. &c. &c.

MY LORD,

Government House, Barbadoes, June 1st, 1831.

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch, dated 12th March 1831, relative to the relinquishment of the Slaves held as property by the Crown; and I beg leave to acquaint your Lordship, that I have seen many of the Slaves, heretofore considered as such, and have explained to them the most gracious intention of His Majesty; and it gives me pleasure to inform you, that from their appearance, as to health and attire, I consider no aid from Government will for the present be required for these persons. Should any cases of incapacity to earn subsistence hereafter occur amongst them, I shall take care to have them provided for in the manner pointed out by your Lordship's Despatch.

BARBADOES.

I have the honour to be, &c. &c. &c.

(signed) James Lyon.

— 4. —

EXTRACT of a DESPATCH from Sir J. Carmichael Smith, addressed to Viscount Goderich, dated Bahamas, 20 May 1831.

"I AM to acknowledge the receipt of your Lordship's Despatch of the 12 March 1831, relative to the Negroes held in slavery, as the property of the Crown. "There are in these Islands fortunately no Slaves whatever, the property of the Crown."

BAHAMAS.

— 5. —

DESPATCH from Viscount Goderich to the Officer administering the Government of Dominica.

SIR,

Downing-street, 23d July 1831.

I HAVE received your Despatch of the 2d June, in answer to mine of the 12th March last (Circular), enclosing a Return of all the Africans and Creoles which had been condemned to the Crown, and were under the charge of the Collector of the Customs. As my Despatch of March last had no reference to this class of persons, whom I fully understood to have been liberated, under the instructions issued by my predecessor, I request that you will inform me, whether there are any Negroes, the property of the Crown, (acquired by forfeiture, purchase, or in any other manner whatsoever,) who remain in a state of slavery; and if there be, you will carry my instructions of 12th March last into execution in their favour.

DOMINICA.

I have, &c.

(signed) Goderich.

— 6. —

DESPATCH from Sir James Campbell to the Right Hon^{ble} Viscount Goderich,
&c. &c. &c.

MY LORD,

Gov^t House, Grenada, 3rd May 1831.

I HAVE the honour to acknowledge the receipt of your Lordship's Circular, dated 12th March last, on the subject of Slaves escheating to the Crown, and who are thereby directed to be liberated.

GRENADA.

Your Lordship will perceive by the enclosed Letter, which I have the honour to transmit to your Lordship from the casual receiver of His Majesty's Revenues, that there are certain Slaves in this Colony belonging to His Majesty, not in the actual possession of the casual receiver; but as I conceive they come under that description in your Lordship's Despatch, "of Slaves belonging to the Crown in

GRENADA.

the Colonies, either given gratuitously, or let out to public bodies," I shall not fail to observe your Lordship's directions respecting them, and report to your Lordship my having liberated them after the expiration of one month, as directed by your Lordship's Despatch.

I have the honour to be, &c. &c. &c.

(signed) *James Campbell.*

SIR,

Grenada, 2d May 1831.

I BEG to acquaint you, for the information of his Excellency the Governor, that there are no Slaves belonging to His Majesty in my actual possession, though there are seven nominally so, named respectively, Francois, Dorothy, Thyley, Zabeth (1), Zabeth (2), Marie, and Marie Anne. These Slaves, together with another named Elizabeth, and her five infant children, were found, by an Inquisition taken in this Island in the year 1817, to have escheated to the Crown, in consequence of their owner, one Javotte Alexander, having died intestate and without heir. At the time of the holding this Inquest, these Slaves were in the possession of a coloured person named Jean Marie la Pierre, (the brother, I believe, of the intestate,) who had been so in possession for some years, and had brought them to this island from St. Vincent, where he had administered to his sister's estate. The Slave Elizabeth having claimed her freedom, a petition was forwarded and recommended by Governor Riall to His Majesty's Government, and another petition was at the same time forwarded by him, praying that a grant of the other Slaves might be made to the said J. M. La Pierre and his family; and he was permitted to retain the possession of them until His Majesty's pleasure should be signified thereon. In the year 1819 directions were received from His Majesty's Government by General Riall, to emancipate Elizabeth and her children, which was done; but no instructions have ever been received in regard to the others, and they have remained in the possession and service of the said Jean Marie La Pierre and his family, as if no inquest of office had ever been held or found. I enclose a copy of the Letters Patent granting Elizabeth her freedom, for your Excellency's information.

I remain, Sir, &c. &c. &c.

To Felix Palmer, Esq.
&c. &c. &c.

Ousley Rowley.

— 7. —

EXTRACT of a DESPATCH from the Earl of *Belmore*, dated King's House, Jamaica, 10th May 1831, to Viscount *Goderich*.

JAMAICA.

"I HAVE had the honour to receive your Lordship's Despatch of the 12th March, marked 'Circular,' relative to Negroes held in Slavery in His Majesty's possessions abroad, the property of the Crown; and am to acquaint your Lordship, that the Slaves formerly belonging to the Crown, who were attached to the service of the governor, were sold during the administration of Major General Couran, and an annual sum of 1,000*l.* was voted to the governor, as a compensation for the loss of their services."

— 8. —

DESPATCH from the Earl of *Belmore* to the Right Honourable Viscount *Goderich*, &c. &c. &c.

MY LORD,

King's House, Jamaica, 4th June 1831.

REFERRING to your Lordship's Despatch of 12th March last, marked Circular, I have the honour to inform you, that the only places where Africans captured under the Abolition Acts, have been apprenticed by the officers of the Customs, are the Ports of Port Maria, Kingston, and Saint Ann's Bay; and I enclose a copy of the Returns made by the Officers of the Customs at those Ports.

By the Returns from Port Maria and Kingston, your Lordship will find that seventeen of the individuals originally apprenticed at the former port, are now alive, and that they have had ten children born since their arrival in Jamaica. I shall of course lose no time in granting to all these persons a certificate of the nature your Lordship has directed.

With respect to the Return from Kingston, I am afraid it will be difficult to carry His Majesty's gracious intentions into effect. Indeed the only persons whom there

there seems any chance of finding is Sibelle, who is stated to have been married in 1829, to a Slave.

JAMAICA.

In regard to the two Africans apprenticed at Saint Ann's Bay, a Letter has been received from Mr. Townson, stating that the individual, Nicholas, who was apprenticed to him, has for many years acted as a butler in a gentleman's family, and is perfectly able to support himself. Mr. Townson, who is a very respectable merchant, also states, that he knew Antonio when he lived in Saint Ann, and he is positive, if the Officers of the Customs reported faithfully, they must say that he was a nuisance, and in any other country would have been hanged for one half of the roguery and theft he committed.

I have already, in my communication to your Lordship of 10th ultimo, stated, that the Africans at Port Maria were entirely out of the reach of any assistance from the Army Medical Department; indeed, the only place where they can have the benefit of advice is in Kingston, and I shall make the necessary communication to the Officer commanding the Forces, in the event of the female, whom I have stated to be the only person likely to be found, requiring medical advice.

I, of course, suppose, that as your Lordship's instructions impose no restraint upon the apprenticed Africans and their descendants, but that they are at once to be granted unrestricted freedom, Sir George Murray's Despatch of 16th October 1828, with respect to the future disposal of these persons, is not to be attended to.

I have the honour to be, My Lord,

&c. &c. &c.

(signed) *Belmore.*

SIR,

Custom House,
Port Maria, 16th May 1831.

WE have to acknowledge the receipt of your Letter, dated the 6th instant, and now give the information required concerning the Eighteen Negroes reported by Mr. Hodgson, Mr. Cox and Mr. M'Dowall Grant. In the enclosed List are their names. Eleven of the number we have examined, and find them capable of maintaining themselves; and also learn from them, that the remaining six (one being dead) are doing well. We have not sent for them, as the distance from hence to where they reside is great, and their journey here would be attended with labour and expense. We therefore trust that the Report we have received will be satisfactory to his Excellency.

We are, &c.

(signed) *J. Graham, Collector.*

B. W. Smith, Controller.

William Bullock, Esq.

Custom House, Port Maria, Jamaica.

LIST OF NEGROES reported by Mr. Hodgson, Mr. Cox and M'Dowall Grant, in 1828.

1.—Judith Gordon	-	-	-	Two Children, reported well.
2.—Clementina, now Charlotte Fuller	-	-	-	One Child, reported able, &c.
3.—Bell Innes	-	-	-	Dead.
4.—Amy Gordon	-	-	-	Reported well and able, &c.
5.—Maria Green	-	-	-	ditto - - ditto.
6.—Clarissa Harlow	-	-	-	ditto - - ditto.
7.—Margaret Ridal	-	-	-	ditto - - ditto.
8.—Eliza Stanley	-	-	-	Reported, 1 Child, well and able, &c.
9.—Mary Henrick	-	-	-	Well and able, &c.
10.—Ann Thomson	-	-	-	Two Children, well and able, &c.
11.—Eliza Bennet	-	-	-	One Child, well and able, &c.
12.—Frances Greenland	-	-	-	One Child, well and able, &c.
13.—Johanna Walker	-	-	-	Well and able, &c.
14.—Isabella Walker	-	-	-	ditto - ditto.
15.—Susanna Walker	-	-	-	ditto - ditto.
16.—Polly	-	-	-	Two Children, reported well and able.
17.—Mary Bennet	-	-	-	Able to support herself.
18.—Amelia Warehouse	-	-	-	ditto - ditto.

(signed) *J. Graham, Collector.*

B. W. Smith, Comptroller.

Custom House, 6th May 1831.

JAMAICA.

SIR,

Custom House, St. Ann, 11 May 1831.

WE have the honour to acknowledge the receipt of your Letter of 27th ultimo, enclosing a Return, to be filled up for the Colonial Office, and beg leave to acquaint you, that Mr. Barnett, the Collector, was only appointed to this port in February last, consequently we shall be obliged to send the Report to Mr. Forbes, (his predecessor, who at the same period was appointed to Port Antonio;) as we are not acquainted with the particulars of his appointment, &c. enclosed, you will please receive a statement of duties, &c. received at this port for the year 1830.

We have also to acknowledge the receipt of two other Letters from you, per last post, one respecting the state and condition of two Africans, who were condemned to the Crown; the one, Nicholas, was apprenticed to Mr. Townsend, now of the firm of Forsyth & Townsend, merchants, Kingston, (when he was Deputy Marshal for this parish,) and of whom we beg leave to submit you had better make inquiry, as we cannot ascertain from any one here, what has become of him since Mr. F. left this. The other, named Antonio, was apprenticed to Mr. Edward Scott, a blacksmith of this town, who is since dead; after his decease the unexpired term of his articles of indenture was made over to Mr. Campbell, also a blacksmith, who is likewise dead; and what has now become of him we cannot ascertain, but will bear the same in mind, and give you the necessary information as soon as possible. We beg leave to remark, that the latter Negro having been taught the business of blacksmith, cannot be in indigent circumstances if he attends to his trade, which is a very lucrative business in the country parishes. The other Letter respecting what has been, or is likely to be the largest amount of balance in each Officer's hands, in reply thereto we have to acquaint you, that the Collector has entered into bond with two sureties to the amount of 1,000*l.* sterling each, and the Controller with one surety of 1,000*l.* currency; the largest sum we observe by the books, that has been in the chest for several years past, has not amounted to more than two or three hundred pounds sterling, and as regards the present receipts they will not amount to 20*l.* sterling per annum.

William Bullock, Esq.

We have, &c.

(signed)

J. Barnett, Col.

S. W. Rose, Cont.

Port of Kingston, Jamaica.—A RETURN of all NEGROES now alive who may have been forfeited to the Crown, under the Abolition Acts and Apprenticed; stating the Age and Sex of such Individuals, whether their Apprenticeship has expired, and whether they are in a condition to maintain themselves.

NAMES.	AGE.	SEX.	When Apprenticeship Expires.	REMARKS.
Duchess - -	50	Female -	Not apprenticed	- - Was seized in or about the year 1809; has been living for many years as free; is still able to maintain herself.
Abraham - -	44	Male -	1 January 1823	- - Absconded from his master in 1818; was reported to have been sold out of Manchester workhouse as a slave, in the year 1822; every inquiry has been made into the truth of the report, but nothing certain can be learnt respecting him; he was a very indolent Negro.
Edward - -	44	ditto -	22 March 1832	- - Was tried at Morant Bay in 1814, and found guilty of practising Obeah and sentenced to transportation for life; in place of being transported according to such sentence, he was exported from Kingston to Belize, Honduras, from whence he was sent to Jamaica to be seized, by directions of Lord Bathurst to Lieut.-Colonel Arthur, H. B. M. Superintendent at Honduras, dated 30 April 1816; has for many years been a wandering vagabond about the country, and supports himself by depredations committed upon the public.
James - -	38	ditto -	10 January 1830	- - Was apprenticed to a shoemaker; but having been detected thieving in 1826, his master refused to retain him longer in his possession; he has supported himself as a seaman between Great Britain and this island.
Marico, baptized Maria Hibbert	36	Female -	Not apprenticed	- - Not apprenticed, as from the general bad conduct of the Negroes heretofore condemned to the Crown, no person of respectability will receive such as apprentices. Able to support herself.
Sybelle, baptized Elizabeth Cavera	30	ditto -	- - ditto -	- - Married in 1829 to a slave, named Joe Bayan, belonging to J. Byar, fisherman, and is maintained by her husband.

Custom-House, Kingston, Jamaica, }
9 May 1831.

(signed)

D. M'Dowall Grant, Col.
J. G. Swainson, Compt.

—9.—

DESPATCH from Viscount *Goderich* to the Earl of *Belmore*.

MY LORD,

Downing-street, 2d September, 1831.

I HAVE received your Lordship's Despatch of the 4th of June last; your Lordship appears to have misapprehended the scope of my Circular Despatch of the 12th of March. That Despatch directed the liberation of the Negroes held in Slavery, as the property of the Crown, not of those who had become forfeited to the Crown under the Abolition Act, for the purpose of barring any other title to them. The liberation of the latter class of Negroes had been directed, under certain limitations, by Sir George Murray's Circular Despatch of the 16th October 1828. It was presumed of course, that those instructions had been obeyed; and that long before I addressed to you my Circular Despatch of the 12th March, the Negroes forfeited under the Abolition Act, had obtained their freedom. It is therefore with surprize, that I find some of them at least, were still without the certificates of freedom, which your Lordship expresses an intention of granting them, in supposed conformity with my Despatch of the 12th March, directing the liberation of Crown Slaves.

JAMAICA.
—

From this, and from the concluding paragraph of your Despatch, I doubt whether either the Instructions conveyed in Sir G. Murray's Despatch of the 16th October 1828, or in mine of the 12th March, have been correctly understood. In the latter, it was not my intention to supersede in any particular, the directions previously given; on the contrary, these were adverted to as exemplifying, by their result in the West India Colonies generally, the practicability of enfranchising considerable numbers of Negroes similarly situated to Crown Slaves, without detriment to themselves or to the Colonies; the fact having been ascertained, that in the islands where the greatest number of the captured Africans had been domiciled, their conduct had given rise to no complaint since their liberation in 1828.

In order to prevent any further misapprehension, I have to request that your Lordship will have the goodness to inform me what steps were taken, upon the receipt of Sir George Murray's Despatch, before referred to; and also, whether there are any Slaves the property of the Crown, in Jamaica; and if so, what measures have been adopted for their liberation.

I have, &c.

(signed) *Goderich*.

—10.—

EXTRACT of a DESPATCH from Sir *C. F. Smith*, dated Trinidad, 18th April 1831, to Viscount *Goderich*.

"IN reply to your Lordship's Circular, I have the honour to report that there is but one escheated Slave, with an infant daughter, in this Colony; and as she is capable of maintaining herself and child by means of industrious labour, she shall forthwith receive her freedom, subject to the conditions contained in Sir George Murray's Circular of 16th October 1828."

TRINIDAD.
—

—11.—

DESPATCH from Sir *C. F. Smith*, to the Right Honourable Viscount *Goderich*, &c. &c. &c.

MY LORD,

Trinidad, 7th June 1831.

I HAD the honour of reporting in my Despatch of 18th April, that the escheated Slaves in this Colony, consisted only of one woman and an infant daughter. My information was derived from the returns of the Escheator General and the Registrar of Slaves.

Your Lordship's Circular Despatch of 12th March last, caused me to inquire minutely into the description of all the persons composing what is termed the Colonial

TRINIDAD.

Colonial Gang; when I discovered, that in the year 1819, the late Sir Ralph Woodford had, unknown to the Escheator General, attached to that body certain Slaves who had then escheated to the Crown. Some have since died, and two of the females have families. Their present state being, one man, three women and seven children, all of whom I have this day liberated; subject to the conditions of Sir G. Murray's Circular Despatch of 16th October 1828.

I have the honour to be,

My Lord,

Your Lordship's most obedient humble servant,

C. F. Smith.

—12.—

DESPATCH from Sir *C. F. Smith* to the Right Honourable Viscount *Goderich*, &c. &c. &c.

MY LORD,

Trinidad, 8th June 1831.

(105 in number.)

Minutes of Council,
4th and 6th June.

HAVING reason to apprehend that the situation and condition of the Slaves, the property of the Colonial Government of Trinidad, are not generally understood, I called upon the Council, with reference to the Circular Despatch of 12th March, for a detailed Report, which I have now the honour of forwarding for your Lordship's information.

The services of the gang cannot well be dispensed with. The individuals composing it are in the enjoyment of the requisites and comforts of life; whilst on the other hand, I have taken care, during the last twelve months, that there has not been any misapplication of the moderate labour they are expected to perform.

I have the honour to be,

My Lord,

Your Lordship's obedient humble servant,

(signed) *C. F. Smith.*

EXTRACT from Minutes of Council of *Trinidad*, dated 4th and 6th June 1831.

4th June 1831.

"His Excellency read a Circular Despatch from the Right Honourable the Secretary of State for the Colonies, dated the 12th March 1831, desiring his Excellency to proceed to manumit all the Negroes belonging to the Crown, within one month from the date of the receipt of that Despatch.

His Excellency said he was desirous of being informed what was the particular class of persons alluded to in that Despatch, and whether the Board conceived that the Colonial Negroes were comprized therein.

The Board were decidedly of opinion, that the Colonial Negroes were by no means the property of the Crown; upon which his Excellency adjourned the Board until 12 o'clock, Monday, the 6th instant, when his Excellency requested that the Board would furnish him with the information necessary to enable him to acquaint His Majesty's Secretary of State with the exact position of the Colonial Gang.

6th June 1831.

With reference to the question submitted by his Excellency the Acting Governor, at the last meeting, when his Excellency laid before the Board a Despatch, dated 12th March 1831, from Lord Viscount *Goderich*, in which his Excellency was directed to release from Slavery all the Negroes held as the property of the Crown, and had requested the Members of the Board to inform him, "What was the particular class of persons alluded to in that Despatch, and whether the Board conceived that the Colonial Negroes were comprized therein."—The Board begged leave to represent to his Excellency, that there existed certain classes of Slaves in the Colony, such as, the escheated Negroes, and the forfeited Africans, which the Crown had the power to manumit, or otherwise dispose of, as it might judge proper; but that the Slaves commonly known under the designation of the Colonial Gang, are the property of the Inhabitants of the Colony, and had been expressly purchased for the purpose of relieving the Planters from the inconvenient, expensive and inefficient plan, of furnishing a proportion of the gangs of their respective estates, whenever Slave labour was required on Fortifications, or other Public Works.

That further, a portion of this Gang had been purchased at the recommendation of his Excellency Sir Ralph Woodford, to assist in the erection of the Public Buildings, as a more certain and economical measure than the hire of Masons, and Free Labourers, who were not always to be procured or depended upon; and that the Board had only consented to

to this purchase, under the express condition that these Slaves were again to be sold, and their proceeds lodged in the Colonial Chest, whenever the Public Buildings were completed.

TRINIDAD.

That the Colonial Gang had, up to the present day, been kept in regular employment on the *aforsaid* Works, on the Public Quarries, repairs of Roads, Bridges, &c.; and that the practical consequence of their gratuitous Emancipation would be, immediately to saddle the Colony with the expense of furnishing labour for those particular services, the avoiding of which was the express object of the original outlay of the Colonial money in their purchase, whilst in principle, it would be equivalent to instructions from home, directing a Governor to appropriate the Colonial Funds, which are specially pledged for internal services, to objects foreign to the interests of the Colony.

Under these circumstances, the Board of Council respectfully represent, that the Colonial Gang is the property of the Colony alone. They are held by the Inhabitants of this island under a title as valid as that by which any other Slaves are owned by individuals. They ~~are~~ subject to the same Laws and Regulations which govern the Slave Population generally, and possess the same privilege of purchasing their manumission, the proceeds of which, when effected, are invariably lodged in the Colonial chest, showing the same to be the property of the Colony, and not of the Crown.

The Honourable Mr. Johnston and the Honourable Dr. Llanos proposed the omission of the words, "They are held by the inhabitants of this island under a title as valid as that by which any other Slaves are owned by individuals;" but the sense of the Board being taken thereon, it was decided that those words should remain as they were.

The Honourable Mr. Burnley, professing his entire ignorance of the law, took the liberty to inquire of the Professional Members at the Board, whether, if the Colonial Government sold one of these Slaves, the purchaser would not hold him by a good and legal title? because under these circumstances, he conceived that the purchaser could only hold by the same title as the party who conveyed the Slave to him; and consequently if the purchaser held a good and legal title, the party selling must have held by an equally good and legal title.

The Honourable Mr. Fuller, in reply, said that he had no hesitation, as Attorney-General, to state that his legal opinion was, that a purchaser of a Slave from the Colonial Government would hold him by as good and legal a title as if he had purchased him from an individual; and that a slave manumitted by the Colonial Government would hold as valid and good a title to his manumission, as though he were manumitted by an individual."

— 13. —

DESPATCH from Viscount *Goderich* to Major-General Sir *Lewis Grant*,
&c. &c. &c.

SIR,

Downing-street, 3d October 1831.

I HAVE received Sir Charles Smith's Despatch of the 8th of June last, with reference to the Emancipation of the Slaves in Trinidad, who are the property of the Crown.

The Council of Government, in answer to certain enquiries proposed to them by Sir Charles Smith, have reported their opinion, that "there exist certain classes of Slaves in the Colony, such as the *escheated* Negroes and the *forfeited* Africans, which the Crown had power to manumit; but that the Slaves commonly known under the designation of the Colonial Gang, are the property of the Inhabitants of the colony."

Assuming the accuracy of this distinction, and of the inferences drawn from it, it would yet remain to enquire, who the Slaves are whom the Council admit to be at the absolute disposal of the Crown; what is their number; and whether, as far as they are concerned, my instructions, of the 12th of March last, have been carried into effect. Upon these questions, Sir Charles Smith is silent. Should any Slave, the property of the Crown, and not forming part of the Colonial Gang, be still remaining in Slavery, when you shall receive this Despatch, you will proceed without further delay to execute in His Majesty's name the proper deed of manumission on behalf of every such Slave.

With regard to that body of persons who constitute what is called the Colonial Gang, I am not unwilling to admit that the objection raised to their manumission presents a question of considerable difficulty. In their discussion of that question, the Council have, however, assumed certain general principles in which I cannot acquiesce. Thus they declare these Slaves to be "the property of the Inhabitants of the colony." They speak of the purchase of them, as having been made with what is termed "colonial money," employed for that purpose with their consent. The Slaves are said "to be held by the Inhabitants of the island, under a title as valid as that by which any other Slaves are owned by individuals."

Throughout this argument it is taken for granted, 1st, That the Council of Trinidad, when these Slaves were purchased, possessed and were entitled to exercise such a control over His Majesty's revenue in that Island, that no public money could without their consent be applied to any specific object. How totally at variance with the real state of the case this assumption is, it would be quite superfluous to show. The want of such a control on the part of the Board of Council, or of some other more popular body, has been not only stated in petitions presented to His Majesty and to Parliament, by large bodies of the Colonists, as a ground of complaint, but the fact of the Governor's being responsible to His Majesty's Government alone, for the right employment of the Colonial Revenue, is noticed in the report of the Commissioners of Legal Enquiry, and in almost every official document which treats of the constitution and laws of Trinidad. I advert to this fact, neither to justify nor to condemn the existence of such an unrestricted authority; the discussion of that question, would require some fitter occasion; but to observe, that at once to complain of the absence of any check on the Governor's financial operations, and to argue as if such a check existed in full force, is a manifest inconsistency. Especially is it difficult or impossible to ascertain upon what valid grounds the Board of Council could assume to themselves the exercise of any such controlling authority. They derive their political existence and their powers entirely from the terms of the Royal Instructions to the Governor, and those instructions certainly never constituted them arbiters of the mode in which His Majesty's colonial revenue was to be appropriated. Whether it was, or was not, fit that they should have such powers, it is at least clear that they had them not in point of fact, and could not claim them in point of law. For these reasons, I cannot think it material to the present question, whether the consent of the Council to the purchase of the Colonial Gang was given or was wanting. They were purchased and paid for by the produce of public taxes, and of other revenues, over which the Governor was both entitled and accustomed to exercise an absolute authority, controlled only by this Department and by the Lords Commissioners of the Treasury.

In the Minute of Council, the "Colony" in one place, and the "Inhabitants of the colony" in another, are mentioned as the proprietors of these Slaves. Here again is the assumption of a principle, which is at least as questionable as it is important. Property can be vested only in individuals or in corporate bodies, whether the corporation be composed of a single person or of many. I must understand, therefore, that "the Colony," or "the Inhabitants of the colony," are considered by the Council as invested with some corporate character, in respect of which they may collectively acquire and hold property. I know not on what this pretension is founded. Certainly not on any royal charter, and as certainly not on any general principle recognised by the law or practice of this kingdom. If, however, such a corporate body as "the Colony" is to be recognised, it is unavoidable to enquire who are the corporators? and how their decision or their votes upon any question are to be taken? Whether their property is unalienable, or if otherwise, who must consent to the alienation of it? and, Slaves being as capable of holding property as though they were free, whether it is to be understood that the Slaves constitute part of the supposed corporation, and are entitled to a voice respecting the employment of its property? I can of course anticipate the answer to these and similar enquiries. It will be said, that they show merely that the Inhabitants of the Colony are not incorporated in the strict and technical sense of the expression; but that it is useless to explore such technicalities, for that the common sense and ordinary apprehension of mankind are sufficient to explain the proper meaning, in which a right of property is attributed to the Colony collectively. With the utmost desire to place this question upon just and large grounds, and with a great indisposition to attach undue importance to distinctions derived from subtle and arbitrary rules of law, I cannot in the present case perceive, how the substantial question in debate can be effectually separated from the technical question to which I have adverted. For, if it be indeed true, that the Colony collectively are the owners of this gang, it follows that they can never be forfeited for ill-usage or cruel treatment; that there is no person responsible for the penalties consequent upon their being inadequately fed, clothed or maintained; that there is no person who could give a valid consent to a marriage which any one of them might contract; that they could not be manumitted by a compulsory process, the owner being neither unknown nor absent, nor labouring under any other of the legal incapacities mentioned in the Order in Council,

Council, and yet having no power to receive any legal notice of the intended process; and that they could not receive a voluntary manumission, since no corporate act can be done, unless the corporate character rest upon a legal foundation.

It follows, that to pass over as immaterial the technical difficulty to which I have adverted, would be to consign these Slaves to a condition of peculiar and unjustifiable hardship. They would have to bear all the burthens, and to perform all the duties of Slaves, without having any owner bound by reciprocal obligations to them. Their servile condition would be irremediable; and the legal securities taken for the protection of other Slaves against oppression, would have no application to their case.

It is for these reasons, and not from a blind deference to any arbitrary rules of law, that I have thought it right to protest against the assumption, for the inhabitants, of any corporate character, in respect of which they could claim a property in these Slaves. They are and can be only the property of the King. That which is loosely termed public property, is really vested in Him alone. On what trusts and for what purposes His Majesty is invested with the property in question, is the real and only proper subject of enquiry.

It appears to me, then, in the first place, that in becoming the owner of these Slaves, His Majesty assumed a trust for the benefit of His subjects in Trinidad; and contracted an obligation to dedicate the labours of the gang exclusively to such works, as tended to promote the general interest or convenience of the Colonists of all classes. No man will hesitate to admit, that the revenue of the Crown in the Colonies, and that the property, of whatever nature, purchased by the Crown with that revenue, constitute a fund, which cannot justly or even lawfully be diverted from the public service of the Colony in which it is raised. Therefore, while I deny that the money with which these Slaves were bought, was derived from the grant or benevolence of the Council—and while I maintain that it must be regarded simply as the produce of a direct tax—I do not on that account claim, but entirely disavow for the King's Government, the right to employ such property in an arbitrary or capricious manner.

But, secondly, in the performance of the trust thus cast upon His Majesty, I apprehend that it belongs to Him, and to Him alone, to decide how it can be employed for the public service most advantageously. For the advice which any Minister of the Crown may humbly tender to His Majesty on this subject, that Minister is of course responsible (as for all his other public acts) to Parliament. In determining the question, it is of course necessary that the utmost circumspection be observed, to prevent rash and erroneous conclusions; and that counsel be taken with those who are best qualified to afford it. But still I must claim for the King's Government the ultimate authority to decide the question. I know not, indeed, what other body of men could lawfully compete with them for the exercise of this privilege.

The practical question which presents itself, therefore, is, Whether the general interests of the Colony, the only legitimate object of consideration, would be more advanced by the manumission of these Slaves, or by their continued detention in slavery. Were I to regard that interest as confined to the single question of profit and loss, I still entertain a strong belief, that it would be best promoted by the enfranchisement of the Slaves. The Council, in their Minute, have taken the question entirely for granted, and assume as incontrovertible, that the labour exacted of these persons could not be performed with equal economy, if free labourers were employed at wages fairly representing the value of their services. To the accuracy of this assumption I cannot, however, thus promptly subscribe. It is well worthy of a very close enquiry, whether in this particular instance it is really frugal to save the payment of wages by undertaking all the onerous obligations of a Slave Owner. Let it on the one side be ascertained what the average annual rate of wages would be, and then contrast with that charge all that must be expended for the food, lodging, clothing and medical care of the Slaves, if estimated on such terms as their necessities justly require. Add to this a fair allowance for the risk of life and health, and the necessity of replacing the dead or infirm by new purchases; with the probable charge of maintaining young children born of the female Slave, and such of the members of the gang as may survive their powers of labour. To all this let a further addition be made for the

expenses of superintendence, and especially for the loss sustained by the torpid and inefficient exertions of men working without any other motive than the fear of punishment. A calculation from which any of these elements is excluded, must lead to fallacious results. A calculation which should fairly embrace them all, would, I believe, show that the employment of Slaves in any labour which does not impose the most extreme fatigue, is, even to private individuals, and when viewed only in the narrowest commercial light, much less advantageous than is usually supposed; and that the momentary saving in wages is, in the course of a very few years, more than compensated by losses and liabilities, which the Council in framing their Minute forgot to estimate. The labour of Slaves, when not under the superintendence of persons stimulated to vigilance by personal interest, is still less likely to be really economical; and experience has shown that public works are more cheaply executed by contract, than even by free labourers under the control of public officers. In our Penal Colonies, notwithstanding the apparent cheapness of convict labour, the scarcity of free labourers, and the difficulty of finding proper persons to undertake the execution of public works, these are upon the whole, in the opinion of the most competent judges, more economically performed by contract than by convicts in the immediate service of the Government. I have no doubt that the same principle would apply in Trinidad; and that without reference to any higher considerations than those of mere economy, the retention of the Colonial Gang would be injudicious.

For these reasons, I consider it expedient to relieve His Majesty's Trinidad Revenues from the burthen of supporting these Slaves; but in so doing, I cannot on the part of His Majesty consent to their being sold.

The Gang appears to have been purchased nearly fourteen years ago; and His Majesty could not be advised to refuse to these Slaves, if their servile condition were to continue, that asylum which after so long a service they would justly claim from any owner of common humanity, or to hazard their passing into the hands of Proprietors whose characters and mode of treatment might possibly render the change a serious evil to them; they must therefore be manumitted according to my instructions of the 12th of March last; and for that purpose you will execute, in the name and on the behalf of His Majesty, the necessary act of enfranchisement.

I have the honour to be,
&c. &c. &c.

(signed) *Goderich.*

SLAVE EMANCIPATION:
CROWN SLAVES.

RETURN to an Address to His Majesty, dated
18 August 1831,—for,

COPIES of the several Orders sent to the Colonies
for emancipating the Slaves belonging to the
Crown, and of any Report (subsequent to that
already presented to The House) made to His
Majesty's Secretary of State for the Colonies, from
the Governors of the Colonies, in relation to that
Measure, and any Directions as to the Means by
which the Slaves emancipated are to be maintained.

*Ordered, by The House of Commons, to be Printed,
6 October 1831.*

Class A.

CORRESPONDENCE

WITH THE

BRITISH COMMISSIONERS,

AT

SIERRA LEONE, THE HAVANA,

RIO DE JANEIRO, AND SURINAM,

RELATING TO

THE SLAVE TRADE.

1830.

Presented to both Houses of Parliament, by Command of His Majesty,
1831.

LONDON :

PRINTED BY R. G. CLARKE,

AT THE LONDON GAZETTE OFFICE, CANNON-ROW, WESTMINSTER.

Class A.

LIST OF PAPERS.

SIERRA LEONE. (General.)

No.		Date & Receipt.	SUBJECT.	Page.
1.	H. M's. Commrs. to the Earl of Aberdeen	- D. Oct. 20, 1829. R. Jan. 27, 1830.	Detention of "La Laure," French schooner -	1
2.	William Smith, Esq. to the Earl of Aberdeen	- D. Nov. 3, 1829. R. Jan. 27, 1830.	Appointment of Mr. Samuel Bidwell -	3
3.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	- D. Jan. 5, - R. March 7, -	Vessels adjudicated in 1829 -	3
4.	H. M's. Commrs. to the Earl of Aberdeen One Enclosure	- D. Jan. 5, - R. March 7, -	Slaves registered, as emanci- pated, July 5, 1829, to Ja- nuary 5, 1830 -	5
5.	H. M's. Commrs. to the Earl of Aberdeen	- D. Jan. 23, R. March 7,	Detention of "La Louise,"— released by her Captor -	5
6.	William Smith, Esq. to the Earl of Aberdeen	- D. March 22, R. June 3,	Application for conditional leave of absence -	6
7.	William Smith, Esq. to the Earl of Aberdeen	- D. April 27, R. June 15,	Mr. Lewis sworn in as Regis- trar -	6
8.	The Earl of Aberdeen to William Smith, Esq.	- D. July 2, -	Conditional leave of absence granted -	6
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Class A.

CORRESPONDENCE

WITH THE

BRITISH COMMISSIONERS.

SIERRA LEONE. (General.)

No. 1.

*His Majesty's Commissioners to the Earl of Aberdeen.—
(Received January 27, 1830.)*

MY LORD,

Sierra Leone, October 20, 1829.

HIS Majesty's ship "Atholl," under the command of Captain Alexander Gordon, on her way from the Cape de Verd Islands to this colony, fell in with, in latitude 9° 30' N., longitude 16° 50' W., a schooner, answering nearly to the description of a Piratical Vessel, which had committed depredations on British ships about the same latitude, and for whose apprehension Captain Gordon had instructions from the Lords Commissioners of the Admiralty. Captain Gordon immediately pursued the strange vessel, and his suspicions of her being the pirate in question were strengthened by her endeavouring, by every manœuvre, to escape. Finding the "Atholl" gain upon her fast, and that escape was impossible, she hove to, and shewed French colours. Captain Gordon, nevertheless, felt it to be his duty to examine her. She was accordingly boarded by Lieutenant Ramsay of the "Atholl," to whom French papers were presented, purporting her to be "*La Laure*," commanded by J. V. Jastram, belonging to M. Felipe Le Moynes, Merchant, of Martinique, and bound from the River Shebar, just without the boundaries of this colony, to the island of Guadaloupe, with a cargo of slaves on board, to the number of 372.

In the course of the investigation, which Captain Gordon conceived himself justified in pursuing, he learnt, that 120 of the slaves on board of "*La Laure*" were on freight, and that they belonged to a Spaniard on board, named Chemin, who had been the Master of a Spanish schooner, called "*Le Manuel*," which was wrecked in the River Shebar in August last. Under these circumstances, Captain Gordon brought her to this colony, where she arrived, in company with His Majesty's ship "Atholl," on the 4th instant. A few days afterwards, Captain Gordon sought to bring "*La Laure*" into the British and Spanish Court of Mixed Commission, for a breach of the Treaty between Great Britain and Spain for the repression of the Slave-trade. This His Majesty's Commissioners felt it to be their duty to refuse.

In a conversation with Captain Gordon, subsequent to such refusal, on the subject, His Majesty's Commissioners acquainted him, that if he could affix a Spanish character upon "*La Laure*," there could be no objection to granting him the permission he required, but, otherwise, she must be assumed to be a French vessel. In such case, His Majesty's Commissioners stated, they could not take upon themselves to do an act, which would form a precedent, and afford a pretext for the Commanders of His Majesty's ships, employed to prevent the illicit traffick in slaves, to visit and search every French vessel they fell in with, under the assumption that such vessel might have slaves on board belonging to the subjects of those Powers, who have entered into Treaties with Great Britain for the suppression of the Slave-trade; a visit and search, which the French Government have not conceded, and which the Government of Great Britain prohibits.

B

In giving this opinion to Captain Gordon, we were guided by an anxious wish that no act of His Majesty's Commissioners, arising out of the visit and search of French vessels, should create discussions between Great Britain and France, that might affect the harmony which now subsists between the two Governments. It appeared to us, that if our decision was favourable in this case, the Commanders of His Majesty's ships would most likely guide themselves, in future, by that decision, to make experimental seizures under the white flag. The onus of such proceeding would, therefore, rest upon us; which proceeding, not being pursuant to the Treaties and Act of Parliament, under which we have had the honour to be appointed, we could not justify.

Painful as it was to us, my Lord, to see the flag of France covering such an infamous transaction, we conceived, in addition to our foregoing opinion, that our duty would not allow us to interfere in this matter, bearing in mind the instruction of the late Mr. Canning to His Majesty's Commissioners, dated June 2, 1823, not to consider those clauses in the Treaty, which contain general declarations of illegal participation in slave transactions, as grounds of condemnation of ships or cargoes, ostensibly belonging to other Powers, not parties to such Treaties.

If, my Lord, in this unprecedented case in the Courts of Mixed Commission, we have erred in the line of duty we have pursued, we have, most humbly, to solicit your Lordship's indulgence.

Captain Gordon having satisfied himself, by the assertions of some of the crew of "*Le Manuel*," who had, after her loss, shipped on board "*La Laure*" in the River Shebar, that the 120 slaves were Spanish property, determined to take the responsibility upon himself of landing those slaves:—He accordingly did so, on the 12th instant, and placed them under the care of the Colonial Government, to await instructions from His Majesty's Government, how they are to be dealt with. The deposition of 3 sailors, taken before a Magistrate here, positively makes these slaves to be Spanish property. In an instruction from the late Mr. Canning to His Majesty's Commissioners, dated the 17th of November 1823, they were reminded, that, in taking upon themselves the power of delivering over slaves for emancipation, in cases which are not properly cases of forfeiture, they could be justified only by very special circumstances, and the sanction of Government, on a statement of the particular facts; we, therefore, most respectfully beg your Lordship will honour us with instructions,—whether the British and Spanish Court of Mixed Commission can go to the adjudication of those slaves, and pronounce them a legal capture.

Having landed the slaves in question, it was Captain Gordon's intention to proceed with "*La Laure*" to Goree, to deliver her up to the French Authorities there. For this purpose, His Majesty's ship "*Atholl*" and "*La Laure*" got under weigh, and were standing out of the harbour, when some of the crew of the latter informed Captain Gordon, that she was, *bonâ fide*, a Spanish vessel; the papers of which nation were thrown over-board, during the time the "*Atholl*" chased her. Both ships, therefore, returned to the anchorage, and upon Captain Gordon's declaration, "*La Laure*" was admitted, on the 13th instant, into the British and Spanish Court of Mixed Commission, to be proceeded against for a breach of the Treaty. On the morning of the 16th, His Majesty's ship "*Atholl*" left this; and in the afternoon of the same day, a petition, to the following effect, was presented to the Court:—

" *The British and Spanish Court of Mixed Commission, Sierra Leone.*

" In the Case of the Schooner "*La Laure*," J. V. Jastram, Master.

" To their Honours, the Judges of the said Court.

" The Petition of Robert Dougan, on behalf of Alexander Gordon, Esq. Commander of His Majesty's ship-of-war "*Atholl*," and the Officers and crew of the said ship,

" Humbly sheweth,

" That your Petitioner, being now aware that he cannot substantiate the allegation of her being a Spanish vessel, prays, that he may be allowed to

withdraw the papers of the said vessel from before your honourable Court, and that all further proceedings may be stayed.

"And your Petitioner shall ever pray, &c.

"(Signed)

Robert Dougan, Proctor."

The circumstance of the Proctor's inability to substantiate the allegation of her being a Spanish vessel, appeared to the Court to be just grounds for granting the prayer of his petition, and, accordingly, the Acting Registrar was directed to deliver to him "*La Laure's*" ship's papers, and to stay further proceedings.

Immediately it was known, that "*La Laure*" had been withdrawn out of the British and Spanish Court of Mixed Commission, she was seized by the Ordnance Store-keeper, (Mr. Birch), who conceived himself authorized to do so, under the Act 5th Geo. IV. cap. 113. sec. 43.

The Collector of the Customs also seized her.

Mr. Birch has since been obliged, we understand, from his not bearing His Majesty's commission, to relinquish his seizure. The Collector is therefore prosecuting her in the Vice-Admiralty Court of this Colony.

We have been thus minute in detailing to your Lordship the circumstances regarding "*La Laure*," as they successively occurred, that the whole of the facts, relating to that vessel since her detention, may, at one view, be presented to your Lordship's notice. We have, &c.

(Signed)

H. J. RICKETTS.

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 2.

W. Smith, Esq. to the Earl of Aberdeen.—(Received Jan. 27, 1830.)

MY LORD,

Sierra Leone, November 3, 1829.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch, intimating to His Majesty's Commissioners, your Lordship's confirmation of the appointment, which they had provisionally made in favour of Mr. Samuel Bidwell to be their First Clerk, in the room of the late Mr. Magnus, with the full salary of £500. per annum.

I feel assured, that Mr. Bidwell duly appreciates your Lordship's high favour, and that he will, by constant and unremitting attention to the duties of his new appointment, endeavour to prove, that he is not unworthy of your Lordship's patronage.

I have the honour to be, &c.

(Signed)

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 3.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received March 7.)

MY LORD,

Sierra Leone, January 5, 1830.

WE have the honour to transmit, enclosed, a general list of all the cases, adjudicated in the several Courts of Mixed Commission, established here for the repression of the illicit traffick in slaves, in the year 1829.

By this list your Lordship will perceive, that 23 vessels were condemned, and that 4,777 slaves were emancipated in that period. 156 cases have been adjudicated, and 20,888 slaves emancipated, in the several Courts, from their establishment up to the present date. 672 slaves having been landed, by Captains Owen and Arabin, at Fernando Po, in 1828, as per last return; and Captain Owen having landed there 34 slaves, out of the Netherland schooner "*Hirondelle*," and 127 slaves out of the Brazilian schooner "*Mensageira*," in the past year, together with 4 having died after emancipation, but before registration; making a collective number of 837; only 20,051 have been registered in this colony.

We have the honour to be, &c.

(Signed)

A. F. EVANS.

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 3.

A List of Cases, adjudged in the Courts of Mixed Commission established at Sierra Leone, betwixt 1st January 1829, and 1st January 1830.

Number of Cases adjudged between June 1819 and 1st January 1830.	Number of Vessels liberated between June 1819 and 1st January 1830.	Number of Cases adjudged between 1st January 1829 and 1st January 1830.	NATIONS.	NAMES of VESSELS.	CLASS.	CONDEMNED.	LIBERATED.	Number of Slaves on board at the time of Capture.	Number of Slaves emancipated.	Number of Slaves registered, and re-emancipated.	REMARKS.
134	11	1	Spanish.	El Almirante -	Brig -	Condemned.	None.	455	416	416	Total number of slaves emancipated, and registered, between June 1819, and January 1829 - - - - -
135	"	2	"	La Panchita -	Schooner -	Ditto	"	292	259	259	15,439
136	"	3	"	Clarita -	Ditto -	Ditto	"	261	201	201	
137	"	4	"	Octavio -	Brig -	Ditto	"	366	335	335	Total number of slaves landed at Fernando Po, in 1828, as per last return, and not registered here - - - - -
138	"	5	"	Cristina -	Brigantine -	Ditto	"	348	216	216	672
139	"	6	Portuguese.	Aurelia -	Galiota -	Ditto	"	29	29	29	Total number of slaves emancipated, between 1st January 1829, and 1st January 1830, of which number 161 slaves were landed at Fernando Po, and 4 died before registration - - -
140	"	7	"	Virgador -	Brig -	Ditto	"	222	220	220	4,777
141	"	8	"	Hosse -	Ditto -	Ditto	"	182	166	166	
142	"	9	Netherlands.	La Coquette -	Schooner -	Ditto	"	220	185*	183	Total number of slaves emancipated, between June 1819, and 1st January 1830 - - - - -
143	"	10	"	Jeune Eugenia -	Ditto -	Ditto	"	50	46	46	20,888
144	"	11	"	Hirondelle -	Ditto -	Ditto	"	112	89†	55	
145	"	12	"	Adeline (al) Fourmi -	Ditto -	Ditto	"	None	None	None	out of which number deduct, for the reasons already assigned in the above remarks
146	"	13	"	Jules -	Brig -	Ditto	"	220	207	207	837
147	"	14	Brazilian.	Triumpho -	Schooner -	Ditto	"	127	122	122	Total number registered up to this date
148	"	15	"	Bella Eliza -	Ditto -	Ditto	"	232	215	215	20,051
149	"	16	"	Uniao -	Brigantine -	Ditto	"	405	366	366	
150	"	17	"	Andorinha -	Brig -	Ditto	"	None	None	None	
151	"	18	"	Donna Barbara -	Schooner -	Ditto	"	357	351	351	*Two of these died before registration.
152	"	19	"	Carolina -	Ditto -	Ditto	"	420	399†	397	†Of these, 34 were landed at Fernando Po, and are, therefore, not registered here.
153	"	20	"	Messageira -	Ditto -	Ditto	"	353	244	117	Of these, 127 were landed at Fernando Po, and are, therefore, not registered here.
154	"	21	"	Ceres -	Ditto -	Ditto	"	279	128	128	
155	"	22	"	Emelia -	Ditto -	Ditto	"	486	435	435	
156	"	23	"	Santa Jago -	Ditto -	Ditto	"	209	148	148	
								5,625	4,777	4,612	

A. F. EVANS.
WM. SMITH.

(Signed)

(Signed) THOS. COLE, Acting Registrar.

No. 4.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received March 7.)

MY LORD,

Sierra Leone, January 5, 1830.

WE have the honour to transmit, herewith, a certified copy of the return of Slaves, registered by the Courts of Mixed Commission in this colony, from the 5th of July 1829, to this date.

1,463 slaves were emancipated and registered, none having died, during the last half year, between the period of emancipation and registration.

We have, &c.

(Signed)

A. F. EVANS.

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 4. (Abstract.)

Register of Slaves Emancipated, from July 5, 1829, to January 5, 1830.

NAME OF VESSEL.	NUMBER REGISTERED.
Clarita	201
Emelia	435
Ceres	128
Santa Jago	148
Octavio	335
Cristina	216
Total....	1,463

(Signed)

THOS. COLE, Acting Registrar.

No. 5.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received March 7.)

MY LORD,

Sierra Leone, January 23, 1830.

WE have the honour to report to your Lordship, the arrival in this harbour, on the 21st instant, of a brig, named "*La Louise*," commanded by Yves Perrein, which had been detained by His Majesty's ship "*Atholl*," Captain Alexander Gordon, on the 31st ultimo, in lat. $0^{\circ} 9' N.$, long. $8^{\circ} 27' E.$, sailing under the white flag, belonging, and bound to Martinique, with a cargo of 226 slaves on board, who had been shipped in the River Old Calabar. Captain Gordon detained her for being Dutch property, covered by fraudulent French papers.

Mr. Smith saw Captain Gordon's declaration, setting forth the above particulars, in the hands of his Proctor; but no attempt was made to bring her into the British and Netherland Mixed Court of Justice.

This morning "*La Louise*" is not to be seen.

On a private investigation here, it was found to be impossible to substantiate her Dutch character; she was, therefore, delivered up by Lieutenant Ramsay, the Officer in charge, to her Master, and clandestinely left this harbour, last night.

We have, &c.

(Signed)

AL. ML. FRASER.

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

C

No. 6.

W. Smith, Esq. to the Earl of Aberdeen.—(Received June 3.)

MY LORD,

Sierra Leone, March 22, 1830.

THE number of lamented deaths, which occurred amongst the British Members of the Mixed Commissions, stationed in this colony, during the last awful rainy season, from an epidemic fever, induces an anxiety, on my part, to obtain your Lordship's sanction to quit this place, during the fatal months of June, July, and August.

It is now ascertained, that that epidemic arose, not from any cause in the colony, but had its origin in a large tract of swampy, uncultivated land on the continent opposite thereto, and in its immediate vicinity; thus rendering it extremely probable, that each succeeding rainy season may bring on similar disastrous results.

I have, therefore, most respectfully to solicit your Lordship's favourable consideration of my request, that your Lordship will be pleased to grant me conditional permission to leave this colony during the aforesaid months, in the present, and in each ensuing, year, should my medical adviser urge the danger of remaining here.

I have the honour, &c.

(Signed)

WM. SMITH.

The Right Hon. The Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 7.

W. Smith, Esq. to the Earl of Aberdeen.—(Received June 15.)

(Extract.)

Sierra Leone, April 27, 1830.

LIEUTENANT-COLONEL FINDLAY, who was sworn into office as His Majesty's Commissary Judge, *ad interim*, yesterday, administered to Mr. Lewis the duly appointed oaths of his office of Registrar, and that gentleman forthwith entered upon the duties thereof.

I trust that, in a very short time, His Majesty's Commissioners will be enabled to report to your Lordship, the adjudication of the cases (10 in number) now pending before the Courts of Mixed Commissions, as the whole of them, with one exception, appear to be clear cases for condemnation.

I have, &c.

(Signed)

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 8.

The Earl of Aberdeen to W. Smith Esq.

SIR,

Foreign Office, July 2, 1830.

I HAVE received your letter of the 22d of March, 1830, representing the generally unhealthy state of the colony of Sierra Leone, during the months of June, July, and August, and soliciting conditional permission to leave the colony, during those months, in the present, and in each succeeding, year, should your medical adviser urge the danger of your remaining at Sierra Leone during that unhealthy period.

Taking these circumstances into consideration, as well as the constancy with which you have remained at your post, and the zeal with which you have discharged the duties, which have there devolved upon you, I do not hesitate to comply with your request, persuaded that you will not avail yourself of the leave, except in the really urgent case, which is contemplated in your application.

I am, &c.

(Signed)

ABERDEEN.

W. Smith, Esq.

No. 9.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Aug. 17.)

MY LORD,

Sierra Leone, June 15, 1830.

A REPORT has, within these last 2 days, reached this colony, upon unquestionable authority, that there are, at the present moment, no less than 2 vessels, under the French flag, in the Rio Nunez, and 6 vessels, some under French, and some under Spanish, flags, in the Rio Pongos, slaving in those rivers.

At the time the person, who brought this intelligence, left the former river, (about 10 days ago) the 2 vessels, slaving therein, were shipping their cargoes, and our informant anticipates that, by the present time, the vessels in question have either sailed, or are ready to do so.

It is with great regret we submit this report to your Lordship, as the vicinity of those rivers to this must be extremely prejudicial to the commerce of the British trader, who resorts thither for the purchase of hides, ivory, wax, and palm-oil:—and we lament to state that, whilst the natives are excited by slave-dealers to furnish them with a human cargo, those natives are so infatuated with that trade, and with the large profits they thereby obtain, that no inducement, that will allow of profit to parties offering it, will tempt them to turn their attention to the procurement of such articles, as the British trader can lawfully purchase.—In addition to this, the greater the number of slavers in those rivers, the greater the demand for rice and palm-oil, for the food of the slaves; and as slavers also purchase ivory, the three staple articles of the produce of those rivers thus become monopolized by the illicit traffickers, as the natives will ever give the preference, in the sale of those articles of lawful commerce, to parties who purchase their slaves.

Captain Webb, of His Majesty's ship "Medina," during the time that ship was lying here, in the beginning of last month, dispatched 2 boats to the Rio Pongos, for the purpose of examining that river. After an absence of some days, they returned, having found only 2 vessels therein—one French, evidently slaving, and 1 American; a Spanish schooner had left a few days previous to that visit, with a full cargo of slaves, which vessel it was the particular object of Captain Webb to detain.

It is evident that the slave-trade is considerably increasing in those rivers, as 4 vessels had arrived in the Rio Pongos, for the purpose of slaving, within the short space of 3 weeks, that being the elapsed time, between the visit of the boats of His Majesty's ship "Medina," and our informants leaving that river.

The activity which is displayed by slavers, in the bights of Benin and Biafra, engrosses so much of the attention of His Majesty's squadron there, in order to suppress the illicit traffick, that the coast and rivers about Sierra Leone must, unavoidably, at times, be left open to the influence and operations of the slave-dealer.

We are, therefore, of opinion, that if a small vessel, a cutter or a schooner, commissioned by the Lords of the Admiralty, and furnished with the necessary instructions, under the command of a Lieutenant of His Majesty's navy, but subject to the direction of the Governor of this colony, could, consistently with the Treaties between Great Britain and Foreign Powers, for the repression of the slave-trade, be stationed here, the different reports, which, from time to time, reach this colony, might be advantageously acted upon, and the slave-trade in the above named rivers, and at the Galinas, where it continues to be unremittingly carried on, would, we confidently anticipate, be greatly reduced. Such reduction would be effected by the vessel, so commissioned, either capturing ships with slaves on board, or by creating such fear in the delinquent parties, from her being constantly in the neighbourhood, as would deter them from venturing, in such numbers at least as they now do, to carry on that traffick.

The present system pursued to suppress the slave-trade, so long as Great Britain continues to be the only Power, zealously endeavouring to effect that humane measure, will, we apprehend, never accomplish that much desired object. Slavers are continually making successful voyages, and returning to the same places for fresh cargoes: thus, whilst this system is continued, and it does not appear possible, under existing circumstances, materially to alter it, the natives of Africa will not believe, that the slave-trade can ever be repressed, and eagerly seek the opportunity to sell their fellow man. By success in this pursuit, they easily obtain their luxuries and comforts,—consequently will not exert themselves in cultivating the natural products of their country, which require manual labour, a labour, which, unfortunately, an African will avoid by every means, short of starvation; the slave-trade to him, being an easy source of profit, requiring no labour, is, as such, an easy source of pleasure also.

Whilst such habits continue to predominate in the African, and so long as his prejudices are fostered, and comforts and luxuries supplied to him by slave-dealers, we cannot but think, that the abolition of the slave-trade, and the consequent civilization of Africa, are measures, which afford little hope of ultimate success.

We have the honour to be, &c.

(Signed)

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

ALEX. FINDLAY.
WM. SMITH.

No. 10.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, August 31, 1830.

I HAVE caused communication to be made to the Admiralty, from time to time, of the several despatches, which I have received from you, respecting the movements of vessels, suspected to be intended for illegal slave-trade.

The Lords of the Admiralty have stated to me, that it is hardly possible, that information of this nature can be sent from hence to the African squadron, in time to be of any use; and their Lordships have suggested, that the Commissioners should be directed to endeavour to convey, whenever any direct opportunity may offer, such intelligence, addressed to any of His Majesty's Officers on the other side of the Atlantic.

It appears to me to be probable, that such a course would be attended with benefit to the service, on which you are engaged; and I have, therefore, to direct, that you will comply with the suggestion, which has been thrown out by the Admiralty.

I am, &c.

His Majesty's Commissioners.

(Signed)

ABERDEEN.

No. 11.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Sept. 24.)

MY LORD,

Sierra Leone, July 5, 1830.

WE have the honour to transmit, enclosed, to your Lordship, a certified copy of the list of slaves, registered by the Courts of Mixed Commissions, established in this colony, from the 5th of January last, to the 5th instant.

By that list your Lordship will perceive, that the number of slaves emancipated amounted to 2,249, but the number of those, who were registered, amounted only to 2,235.

The deficiency in the number registered, arose in consequence of 4 having died, and 10 having absconded from the charge of the Liberated African Department, after they were emancipated, but before their descriptions could be taken to be registered.

We have the honour to be, &c.

(Signed) ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 11. (Abstract.)

Register of Slaves Emancipated, from January 5th, to July 5th, 1830.

NAME OF VESSEL.	Number Registered.	Number Died before Registration, but Emancipated.	Number Emancipated.
Tentadora - - - -	320	"	320
Emilia - - - - -	148	"	148
Emilia - - - - -	128	"	128
Nao Lendia - - - -	159	"	159
Maria de la Concepcion	79	"	79
Manzanares - - - -	348	1	349
Altimara - - - - -	185*	3	198
Nossa Senhora da Guia	238	"	238
Primeira Rosalia - -	242	"	242
Umbelino - - - - -	163	"	163
Nova Resolucao - - -	42	"	42
Loreta or Corufiera - -	183	"	183
Total - -	2,235	4	2,249

(Memorandum.)—Number Registered up to January 5, 1830 - - - - - 20,051
 " " from January 5, to July 5, 1830 - - - - - 2,235
 Total - - - - - 22,286

* In consequence of 10 men having run away, after their emancipation, from the Hospital at Kissy, where they were placed in charge of the Liberated African Department, their descriptions and names could not be obtained for insertion in the Register.

(Signed) WALTER W. LEWIS Registrar.

No. 12.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Oct. 10.)

MY LORD,

Sierra Leone, July 13, 1830.

WE have the honour to report to your Lordship the following circumstances, relating to the case of a vessel, named the "*Nossa Senhora da Guia*," seized in this harbour on the 5th ult., by the Collector of Customs, for being fitted out and equipped, in this colony, for the slave-trade, contrary to the Act of the 5th Geo. IV. cap. 113; and which said vessel was condemned in the Vice Admiralty Court, established here, on the 30th ult.

The "*Nossa Senhora da Guia*," originally a Brazilian vessel, was captured by the "*Dallas*," a tender to His Majesty's ship "*Sybille*," for being engaged in the illicit traffick in slaves, having then on board a cargo of negroes; and she was condemned, by the British and Brazilian Court of Mixed Commission, as lawful prize to the Crowns of Great Britain and Brazil, on the 13th of May last, as reported to your Lordship in our despatch, marked Brazil, of the 15th of that month.

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The "*Nossa Senhora da Guia*" was accordingly sold by publick auction, and was purchased by Mr. Thomas Harrison Parker, late one of the Commissioners of Appraisement and Sale to the Courts of Mixed Commissions.

Previously, however, to Mr. Barber, the present Commissioner of Appraisement and Sale, completing the bill of sale of this vessel, Mr. Parker requested, that, as he had purchased the vessel for a Spaniard, named Salvador Lorens, the bill of sale might be made out in the name of the latter person, for whose account Mr. Parker said he had actually bought her. A copy of Mr. Barber's letter of explanation on this subject, we beg to enclose.

The bill of sale was, therefore, made out in Salvador Lorens' name; that person immediately took possession of the "*Nossa Senhora da Guia*," and, considering the conversion of the property complete, displayed the Spanish flag on board of her.

Mr. Parker also purchased, at publick auction, for the same Salvador Lorens, many leagers and other casks, which had been taken out of vessels condemned in the Courts of Mixed Commissions; and these leagers, and other casks, were shipped on board the "*Nossa Senhora da Guia*."

It now becomes necessary for us to acquaint your Lordship, that Salvador Lorens belonged to the Spanish schooner "*Maria de la Concepcion*," which vessel was captured by His Majesty's ship "*Primrose*," in the Rio Pongos, with 79 slaves on board, on the 24th of March last, and condemned, in the British and Spanish Court of Mixed Commission, on the following 11th of May. The character, therefore, of that man, the shipment of so large a number of water-casks, together with its being publickly known, that he had but lately returned to this colony from the Galinas, as notorious a place for Spaniards to carry on the slave-trade as Whydah, on the leeward coast, is for Brazilians to carry on that traffick, naturally raised strong suspicions of the object to which he was about to apply the "*Nossa Senhora da Guia*."

These suspicions were further heightened by reports, which have at times reached this colony, that several vessels, that had been sold under decrees of the Courts of Mixed Commissions, and purchased by foreigners, had been, immediately after quitting this, employed in the slave-trade. The capture of 1 vessel, under such circumstances, the Portuguese Brig "*Hosse*," condemned on the 24th of June 1829, afforded proof that those reports were not totally unfounded.

The Collector, therefore, closely watched Salvador Lorens' actions, allowed him to complete his preparations, and cleared out the "*Nossa Senhora da Guia*" for Cuba, on the 4th ult., but early on the morning of the next day, and just before she was about to leave this port, the Collector went on board, and, after a strict search, found she had on board nearly 4,500 gallons of fresh water, with casks capable of containing 1,200 more, and concealed in the run, some slave leg and neck irons, and chains. The Collector thereupon seized the "*Nossa Senhora da Guia*," and prosecuted her to condemnation, in the Vice Admiralty Court, under the 4th section of the "Act to amend and consolidate the laws relating to the abolition of the slave-trade."

It is with regret we acquaint your Lordship, that amongst the British subjects in this colony—a colony specially formed for the suppression of the slave-trade—men were readily found, who, unblushingly, and with the greatest effrontery, stepped forward to advocate and defend the cause of the "*Nossa Senhora da Guia*," notwithstanding the very suspicious character of her Owner and Master, Salvador Lorens, and the actual proofs against her. The Advocate who conducted the Claimant's case, in his anxious desire to exculpate these unlawful proceedings, endeavoured to criminate the Officers of the Courts of Mixed Commissions, by charging them with having left the slave-irons on board of the "*Nossa Senhora da Guia*." This charge was, however, most satisfactorily met and rebutted, upon oath, by the Marshal to the British and Brazilian Court of Mixed Commission (Mr. Lake), whom the Claimant in his defence produced as a witness to prove that particular point.

Salvador Lorens, after he was brought to this colony in the "*Maria de la Concepcion*," left that vessel to her fate, and made the best of his way to the Galinas. At the Galinas he obtained, from a Spaniard, of the name of Pedro Blanco, a notorious slave-dealer there, an order on Mr. Parker for 1,000 dol-

bars; which order is drawn out in the handwriting of Mr Parker's clerk, a black man, named James Smith, who was at that time, as he has frequently been of late, at the Galinas. The order in question was accepted by Mr. Parker, and the amount was applied by him to purchase, for Salvador Lorens, the "*Nossa Senhora da Guia*," and the casks, &c. found on board of her; and for which agency he has charged Salvador Lorens 10 per cent. commission.

The Lieutenant-Governor judged it proper, under these circumstances, immediately to remove Mr. Parker from the office of joint Stipendiary Police Magistrate, which situation he had held for about 12 months past.

The King's Advocate has also had Mr. Parker examined on the charge, which he (the King's Advocate) has, *ex officio*, brought against him, under the 10th section of the Act of the 5th Geo. IV, cap. 113, for being an agent, employed in accomplishing objects and contracts, which have been therein declared unlawful; and Mr. Parker is now at large, on bail to meet the indictment, which, on the above grounds, the King's Advocate will prefer against him at the next ensuing Quarter Sessions of Oyer and Terminer.

We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 12.

Mr. Barber to W. W. Lewis, Esq.

SIR,

Sierra Leone, July 10, 1830.

IN reply to your application to ascertain, how it occurs, that the name of the purchaser of the "*Nossa Senhora da Guia*" in the account sales, is not the same as that inserted in the bill of sale, both made out by me; Mr. Parker was the purchaser at the auction, and he paid me for the vessel, requesting me to fill up the name in the bill of sale, of Salvador Lorens, of Cuba, whose agent it appears he was on the day of sale. I was not furnished with the name of Salvador Lorens for some days, and, I believe, not until the accounts had been sent in to you for examination.

I remain, &c.

(Signed)

T. H. BARBER,
Commissioner of Appraisalment and Sale
to the Courts of Mixed Commissions.

Walter W. Lewis, Esq. Registrar.

No. 13.

Sir G. Shee to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, December 9, 1830.

YOUR despatch of the 15th of May, on the mortality stated to occur among the slaves of captured vessels, on their passage to Sierra Leone, was communicated to the Admiralty; and I have now to transmit to you, for your information, the accompanying copy of the answer, which has been returned to that communication, stating, that directions have been given to the Officers commanding ships, making captures of slave-vessels with a large number of slaves on board, to send, whenever it may be practicable, a medical man in such vessels to Sierra Leone.

I am, &c.

His Majesty's Commissioners.

(Signed) G. SHEE.

Enclosure in No. 13.

J. Barrow, Esq. to J. Backhouse, Esq.

SIR,

Admiralty Office, November 18, 1830.

HAVING laid before my Lords Commissioners of the Admiralty, your letter of the 31st of August last, relative to the mortality, which is stated to occur among the slaves of captured vessels, on

their passage to Sierra Leone; I am commanded by their Lordships to acquaint you, for the information of the Earl of Aberdeen, that their Lordships have ordered copies of your letter, and its enclosures, to be transmitted to the Officer commanding His Majesty's ships on the Western Coast of Africa, with directions to him to give orders, that when it is in the power of the Officers commanding ships, making capture of slave-vessels with a large number of slaves on board, a medical man shall be sent in such vessel; but the small number of medical officers on board His Majesty's ships, renders it unlikely that this can be often done; their Lordships, however, consider, that so soon as the Mixed Commission is removed from Sierra Leone to Fernando Po, the necessity of the measure will be entirely removed.

John Backhouse, Esq.
&c. &c. &c.

I am, &c.

(Signed)

JOHN BARROW.

No. 14.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Dec. 16.)

MY LORD,

Sierra Leone, September 21, 1830.

IN making our report to your Lordship, upon the state of the slave-trade in the vicinity of this colony, under date of the 15th of June last, we drew your Lordship's attention to some facts connected therewith, which this despatch, we think, will illustrate and confirm.

No diminution in the traffick in slaves, within the sphere of our own personal observation, has taken place; and painful as it will probably be to His Majesty's Government, and to the friends of the African race, to learn that fact, we must again state to your Lordship our conviction, that that traffick is considerably increasing. In this immediate neighbourhood, the slave-trade is now carried on to an unprecedented extent, under the flags of France and Spain; and it is a prevailing opinion here, that that trade would be increased to an inconceivable degree, if the Courts of Mixed Commissions were not placed so near the scene of such slaver's iniquitous transactions; which operates, in some measure, as a check upon them.

Notwithstanding Brazil has declared the carrying on of the slave-trade, by her subjects, to be piracy, we have information, that Brazilian vessels are continuing, in defiance thereof, that unlawful commerce. In proof of which, we beg to subjoin the following extract from a letter, written from the Rio Nunez by a British merchant, addressed to a gentleman here, who has permitted us to use the same, for your Lordship's information.

"Rio Nunez, August 28, 1830.

"We are cut up in both rivers (Pongos and Nunez) with slavers, French, Spanish, and Brazilian, which materially injures our trade. I hope the new Commodore (Captain Hayes) will remedy this."

We have requested to be informed of the names of, and other circumstances relating to, the vessels so engaged, particularly Brazilian; and if we can be furnished therewith, we shall immediately transmit the information obtained to your Lordship.

The injury to the British trader, which is spoken of in the extract from the letter, which we have given, arises from the causes with which we have previously acquainted your Lordship, viz. the unfortunate infatuation of the African in favour of the slave-trade, and so long as that trade is continued in places where the British merchant resorts for legitimate commerce, he will always be "cut up" by the slaver.

The Galinas to the southward of this colony, has often been reported to your Lordship as a most notorious, as well as a productive, slave port. It still maintains, undiminished, that character. Many vessels, principally Spaniards, are reported to us to be there, at the present time, awaiting cargoes of slaves; and we apprehend, from the want of a cruizer on this part of the coast, they will succeed in safely effecting their object.

Four vessels, under the white flag, were, last month, also waiting for cargoes of slaves at the Plaintain Islands, about 15 miles from, and within sight of, the Bannanas, one of the dependencies of this colony. They were all obliged, from stress of weather, to quit the Plaintains, and 2 of them ran for

shelter under the lee of the Bannanas, where they remained some days, until the boisterous weather abated, and then returned to their original anchorage.

The Master of one of the said vessels went on shore at the Bannanas, and saw the Manager of the liberated Africans stationed on those islands, (Mr. Frederic Campbell) to whom he openly confessed the nature and object of his slaving-voyage; that his 3 consorts were similarly engaged; and that they all expected, very shortly, to get their slaves from the River Sherbro', (near which river the Plaintain Islands are situated) as they had each contracted with the natives thereof for their cargoes.

The same person also informed Mr. Campbell, that 25 vessels were fitting out at Nantz when he left France, with the intention of pursuing the same trade in which he himself was engaged.

Without placing reliance upon the latter part of the information thus obtained, we think it will appear clear to your Lordship, that French vessels, or vessels protected by the flag of France, in great numbers, still continue the slave-trade; and we regret our inability to put your Lordship in possession of the names of the before-mentioned 4 vessels, employed in that traffick, the names of their masters, or of the ports in France, or in her colonies, from whence they severally sailed; so that they might, should it have met your Lordship's approval, be denounced to the French Government. But of the fact, as we have stated it, we pledge ourselves to your Lordship.

It thus appears that slavers to the northward, and slavers to the southward, of this colony, continue to exercise unremitting and unceasing exertions in their unlawful pursuits,—pursuits that, we fear, will still continue to elude the vigilance of the British Government.

We are much concerned to observe, that the boundary from this colony, outside of which the slave-trade has, more or less, been constantly carried on, is becoming daily contracted in its circumference. In the neighbourhood of Sierra Leone there are no cruizers,—it has no armed colonial vessel,—there is nothing to intimidate slavers from carrying on their traffick in all directions, close around it. That trade, in fact, is now raging on the very confines of this settlement, reviving those favourable feelings towards that demoralizing traffick, amongst the people of the surrounding countries, which we had hoped had been effectually suppressed, by the liberal encouragement that has been given to them, by the British trader, to pursue other commerce than that of their fellow-creatures. The slave-trade is also spreading wide its baneful influence into the very heart of this colony, and in progress of utterly destroying the little moral influence, that the Christian Religion, after years of labour, may have implanted in the liberated African.

Four liberated Africans are now in gaol, to take their trial, at the next ensuing sessions, for selling some of their liberated brethren into slavery;—an American settler, brought here in 1817, by Paul Cuffee, is also in gaol, to take his trial at the same time, for slave-trading.

The means to controul this growing evil, and to which we took the liberty of drawing your Lordship's attention, in our despatch, of the 15th of June last, still appear to us to be greatly called for,—that of stationing a small vessel of war always here, to be commanded by a Lieutenant of His Majesty's navy, but subject to the direction of the Governor of this Colony, and duly furnished with the signed instructions, according to the several Treaties for the repression of the slave-trade, by the Lords Commissioners of the Admiralty.

Although that measure would afford but a partial remedy; yet it is to be hoped that some good would result from it, in at least restraining the very great extent, to which the slave-trade is now carried on in the vicinity of this colony.

We are of opinion that if the whole of the British squadron, now stationed on this coast, were to pay its undivided attention to the rivers and places about Sierra Leone, the slave-trade therein could not be effectually suppressed. Out of the many vessels employed in that traffick, some would, doubtless, escape, and thus afford encouragement to other slavers to persevere, in hopes of being alike fortunate. But if the slavers were driven therefrom,

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those slavers would readily change the scene of their operations, to the coast to leeward, in the Bights of Benin and Biafra, and, most probably, they would be as successful down there as they are now up here.

If we were to estimate the total number of slaves exported from the western coast of Africa, by the few vessels engaged in the illicit traffick, which have of late been captured, to the eastward of Cape Palmas, by the whole of His Majesty's squadron collectively, we should hazard the opinion, and we think justly, that the number of slaves exported from this part of Africa, say from Cape Palmas to Cape Roxo, is now fully as great as the number at present exported from the Bights of Benin and Biafra. Comparatively speaking, only a few Spanish vessels, engaged in the slave-trade, actually go to the latter places, the greater number, by far, come for their cargoes to Bassa, Pequena Bassa, the Galinas, Rio Nunez, Rio Pongos, and other places, all to the westward of Cape Palmas, and within 1 or 200 miles, either way, of this colony. It is no true criterion to judge of the actual destination of Spanish slave-vessels, because they clear out, from the Havana, and other ports of Cuba, for the islands of Princes and St. Thomas, for each vessel, under the Spanish flag, that has this year been captured off the Galinas, and the Rio Pongos, had cleared out for those islands. His Majesty's Commissioner at the Havana, in 1829, reported to your Lordship, that "the Galinas is the most noted of all the slave-trading depôts in Africa, and that Mandingo slaves are particularly esteemed." Mandingo slaves are only to be obtained to the northward of this colony; we think, therefore, that, from what we have now had the honour to lay before your Lordship, we are warranted in entertaining such opinion.

There would, then, appear at present, we regret to say, but little likelihood of the slave-trade ever being completely suppressed, by the present restrictive measures, employed to prevent that traffick, which are totally inadequate to effect so desirable an object.

To suppress the slave-trade, as at present carried on, with any degree of effect, a naval force, sufficiently increased to allow of many fast-sailing vessels, to be constantly cruising between the River Gambia and Cape Palmas, (which part of this coast is only visited at distant periods by a vessel of war, owing to the slave-trade in the Bights of Benin and Biafra, occupying the attention of all the squadron) is, in our opinion, absolutely required. This, together with the consent of the Foreign Powers, who have entered into Treaties for the suppression of the slave-trade, but whose subjects still continue to carry on that traffick, to permit Great Britain to seize and condemn vessels under their flags, if found fitted and equipped for the slave-trade, as such fitting and equipment can never be required for lawful commerce, would render the risk of loss, and consequent ruin, so great to the unlawful slave-trader, as would, we should hope, in a short time, most considerably diminish that traffick. The flag of France would then be the only resort of slave-traders to cover their nefarious transactions; and in that case, we trust, the French Government would concede to Great Britain, the right of search over vessels on this coast, bearing her flag, and that, if found similarly circumstanced in carrying on the slave-trade, to the vessels of the other Foreign Powers, similar penalties should ensue.

The friends of humanity might then look forward with hope, to no very distant period, for the result of their arduous exertions being rewarded, by an extinction of the unlawful exportation of Africans from their native country. Until, however, the aforesaid measures, or measures equally effectual, are applied to put a stop to the slave-trade, we see no hope of its repression.

We have the honour to be, &c.

Signed

ALEX. FINDLAY,
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No 15.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, December 23, 1830.

I HEREWITH transmit to you, for your information, 3 copies of an extract from instructions prepared for the guidance of the Slave-trade Restriction Commissions, and of which instructions copies will be distributed, under the directions of the Lords Commissioners of the Admiralty, to the Commanders of His Majesty's ships and vessels, employed on the several naval stations for the suppression of illegal slave-trade.

His Majesty's Commissioners.

I am, &c.
(Signed) PALMERSTON.

Enclosure in No. 15.

Extracts from the Regulations, for the Guidance of the Commissions appointed for carrying into effect the Treaties for the Abolition of the Slave-trade.

THESE Commissions are framed in pursuance of the following Treaties between His Britannick Majesty, and His Most Faithful Majesty the King of Portugal, His Catholick Majesty the King of Spain, and His Majesty the King of the Netherlands.

The Treaty with Portugal was made on the 28th July 1817, and Ratifications were exchanged at Rio Janeiro on the 27th November 1817.

The Treaty with Spain was made on the 23d September 1817, and Ratifications exchanged at Madrid on the 22d November 1817.

The Treaty with the King of the Netherlands was made the 4th May 1818, and Ratifications exchanged at the Hague on the 25th May 1818.

It may not, in the first place, be improper to take a short review of these Treaties, as they regard the illicit traffick in slaves.

The Treaties between this Country and Portugal, and Spain, and the Acts of Parliament for carrying those Treaties into effect, declare illicit, all traffick in slaves by British ships;—all traffick in slaves by Portuguese or Spanish ships in parts therein specified, and all such traffick in other parts, by Portuguese or Spanish ships, for account of the subjects of any other Government, or bound for any port, not in the dominions of the Sovereign to which the ship may belong.

By the Treaty with the King of the Netherlands, that Sovereign engages within 8 months, or sooner if possible, from the exchange of the Ratifications, to prohibit all his subjects, in the most effectual manner, and especially by penal law the most formal, to take any part whatever in the trade of slaves; and in the event of the measures already taken by the British Government, and to be taken by that of the Netherlands, being found ineffectual or insufficient, the High Contracting Parties mutually engage to adopt such further measures, by legal provision or otherwise, as may, from time to time, appear best calculated to prevent all their respective subjects from taking any share whatever in this nefarious traffick.

It is expressly stipulated by all the High Contracting Powers, that no vessels shall be detained, but those having slaves actually on board: * that they are to be carried as soon as possible for judgment to the nearest place, where one of the Mixed Commissions is sitting, or which the captor thinks he can soonest reach from the spot where the slave-ship shall have been detained; and no cruiser is legally authorized to detain any vessel, unless such cruiser forms part of the British, Portuguese, Spanish, or Netherland Royal Navies, and is furnished with the special instructions, pointed out in the Treaties, for visiting merchant vessels suspected of having slaves on board; the visitation and search are directed to be done in the most mild manner; and in no case is the search to be made by an Officer holding rank inferior to that of Lieutenant in the British, Portuguese, or Netherland Royal Navies; or of Ensign of a ship of the line in the Spanish Navy.

By the Treaty with Spain, it is declared to be illegal at present, for any Spanish subject to carry on the slave-trade, on any part of the coast of Africa, North of the Equator, upon any pretext, or in any manner whatever; and His Catholick Majesty engages that the slave-trade shall be abolished, throughout the entire dominions of Spain, on the 30th May 1820, and after that period it shall not be lawful for any Spanish subject to purchase slaves, or carry on the slave-trade; but the same is then to cease entirely. A term, however, of 5 months, from the said 30th May 1820, is allowed for completing the voyages of those vessels, which shall have cleared out lawfully previous to the said 30th May 1820.

By the Separate Article to the Additional Convention with Portugal, dated London, 11th September, 1817, it is stipulated, that as soon as the total abolition of the slave-trade, for the subjects of the Crown of Portugal, shall have taken place, the two High Contracting Parties agree to adapt, to that state of circumstances, the stipulations of the said Convention, dated 28th July 1817; but in

* N. B. This stipulation has been qualified by subsequent Conventions. Vide the Act 5. Geo. 4, cap 113, pages 1162, 1176, 1186, 1187, and 1188.

default of such alterations, the Additional Convention of that date shall remain in force, until the expiration of 15 years, from the day on which the general abolition of the slave-trade shall so take place, on the part of the Portuguese Government.

All traffick in slaves by the Portuguese, to the northward of the Equator, is prohibited, and the only trading in slaves to the south of the Equator, which is at present allowed to the Portuguese, by the Treaty or Convention of 28th July, 1817, is limited to the territories, possessed by the Crown of Portugal, upon the coast of Africa; viz. the territory lying between Cape Delgado Bay, and the Bay of Laurengo Marques, upon the eastern coast of Africa; and, upon the western coast, all the territory which is situated from the 8th to the 18th degree of south latitude.

By the 2d Article of the Treaty it is declared, that the territories over which the King of Portugal has retained the rights of sovereignty, on the coast of Africa, south of the Equator, are those of Molembo and Cabinda, upon the eastern coast, from the 5th degree 12' to the 8th degree south. This must be an error, as those places are on the western coast of Africa.

Every Portuguese or Spanish vessel engaged in this trade, must be provided with a Royal Passport: permitting such traffick.

The Mixed Commissions are to consist of two Commissary Judges, and two Commissioners of Arbitration; one of each to be named by His Britannick Majesty, and the others by the Kings of Portugal and Spain, as they shall be established in their respective dominions. To each Commission is to be attached a Secretary or Registrar, whose appointment is vested in the Sovereign of the country in which the Commission may reside, and the proceedings under the Commissions are to be written down in the language of the country where the same may be respectively established.

The British Government has undertaken to indemnify the proprietors of all Portuguese vessels improperly detained after the 1st of July 1814; but no claim for compensation can be admitted, for a larger number of slaves than was permitted according to the rate of tonnage of the vessel captured; and the individuals having a just claim, are to be paid the same within the space of a year, at farthest, from the decision of each case.

It has been before observed, that no vessels are legally liable to be captured, but those having slaves actually on board for the express purpose of the traffick; so that a vessel having negro servants or sailors on board, is not for that reason to be detained: and no merchantman or slave-ship is to be visited or detained, whilst in the port or roadstead belonging to either of the High Contracting Powers, or within cannon-shot of the batteries on shore, excepting on the Continent of Africa, north of the Equator; but no slave-ship, either Portuguese or Spanish, is to be elsewhere detained near the land, or even on the high seas, south of the Equator, unless after a chase, which shall have commenced north of the Equator; and if any vessel be detained south of the Equator, the proof as to the illegality of the voyage is to be exhibited by the Captor; and in all cases of slave-ships detained to the north of the Equator, the proof of the legality of the voyage is to be furnished by the vessel so detained.

It is stipulated, that notwithstanding the number of slaves found on board any vessel may not agree with the number contained in the passport, yet that shall not be a sufficient reason to justify the detention of the ship.

When a slave-ship shall be detained, the Master thereof, and a part at least of the crew are to be left on board, and the Captor is directed to draw up in writing, an authentick declaration, which shall exhibit the state in which he found the detained ship, and the changes which may have taken place in it; and to deliver to the Master of the slave ship, a signed certificate of the papers seized on board such detained vessel, as well as the number of slaves found on board. None of the slaves are to be disembarked, till after the vessel shall have arrived at the place where the legality of the capture is to be tried, unless urgent motives, deduced from the length of the voyage, the state of health of the negroes, or other causes, should make a disembarkation (entirely or in part) necessary before the vessel's arrival: the Commander of the capturing ship, however, takes upon himself the responsibility of such disembarkation, and the necessity thereof must be stated in a certificate, in proper form, and the following are considered as proper declarations or certificates, to be used as circumstances may arise.

Form of Declaration of the State of the Vessel at the time of Capture.

I _____ Commander of His Britannick Majesty's ship _____
 _____ hereby declare, that on this _____ day of _____ being
 in or about latitude _____ longitude _____ I detained the ship or vessel, named
 the _____ sailing under _____ colours, armed with _____
 guns _____ pounders, commanded by _____ who declared her to be
 bound from _____ to _____ with a crew consisting of
 _____ men _____ boys _____ supercargo _____ passengers, whose names,
 as declared by them respectively, are inserted in a list at foot hereof, and having on board _____
 _____ slaves, said to have been taken on board at _____ on the _____ day of _____
 _____ and are enumerated as follows, viz.

	HEALTHY.	SICKLY.
Men		
Women		
Boys		
Girls		

I do further declare that the said ship or vessel appeared [or not] to be seaworthy, and was [or not] supplied with a sufficient stock of water [or not] and provisions for the support of the said negroes and crew, on their destined voyage to

I do further declare

[Here insert any observations on the state and condition of the ship, crew, and slaves, which may appear important to notice, and record.]

To be witnessed by two Officers, of whom the Surgeon to be one, if on board.

Form of Certificate to be given to the Master of a Vessel captured.

I _____ Commander of His Britannick Majesty's ship _____ hereby certify, that on this _____ day of _____ being in or about latitude _____ longitude _____ I detained the ship or vessel, named the _____ sailing under _____ colours, armed with _____ guns, _____ pounders, commanded by _____ who declared her to be bound from _____ to _____ with a crew consisting of _____ men _____ boys _____ supercargo _____ passengers, and having on board _____ slaves, viz.

	HEALTHY.	SICKLY.
Men		
Women . .		
Boys		
Girls		

and that the papers and documents seized by me, on board the said ship or vessel, being marked from No. 1. to No. _____ are enumerated in the following list :

[Here the List is to follow.]

Form of Certificate of the necessity of Disembarking Slaves from a Captured Vessel.

I _____ Commander of His Britannick Majesty's ship _____ hereby certify, that on the _____ day of _____ being in or about latitude _____ longitude _____ I detained the ship or vessel, named the _____ sailing under _____ colours, armed with _____ guns, _____ pounders, commanded by _____ who declared her to be bound from _____ to _____ with a crew consisting of _____ men _____ boys _____ supercargo _____ passengers, and having on board _____ slaves, viz.

	HEALTHY.	SICKLY.
Men		
Women . .		
Boys		
Girls		

I do further declare, that finding it necessary to disembark _____ of the said slaves before the vessel could arrive at _____ to which place it was my intention to send her for adjudication, on account of

[Here insert the cause, such as there not being a sufficient quantity of provisions, or any other circumstance, to justify the disembarkation.]

I did on the _____ day of _____ disembark _____ of the said slaves at _____ where they remained

To be witnessed by two Officers:

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The following is recommended as a Form of Proceeding for the guidance of the Commissioners and Registrar, being assimilated, as near as can be, to the proceedings of the High Court of Admiralty; and with the view of making the subject more intelligible, the case of a Portuguese vessel is supposed to be captured by His Britannick Majesty's ship-of-war "Confiance," and carried to Sierra Leone.

The first step to be taken on the part of the Seizor, is immediately on the arrival of the detained vessel in port, to make an affidavit, setting forth when and where the seizure was made, and to which must be annexed, the whole of the papers found on board the detained ship, and that such papers are in the same plight and condition, as when they were found or delivered up.

The following Affidavit is given, as a Form for that purpose.

Our Sovereign Lord the King

against

The Ship "Escravo," Pereiro de Mattos, Master, her Tackle, Apparel and Furniture, and the Goods, Wares, Merchandize, and Slaves on board the same, taken by His Majesty's Ship-of-War "Confiance," Sir James Lucas Yeo, Knight, Commander, and brought to Sierra Leone.

Appeared, personally, Sir James Lucas Yeo, Knight, Commander of His Majesty's ship-of-war "Confiance," duly authorized and empowered, according to the provisions of the Additional Convention to the Treaty between His Britannick Majesty and His Most Faithful Majesty, to make seizures of vessels under Portuguese colours, engaged in the slave-trade, being duly sworn, maketh oath, that on the 9th day of the month of May 1819, being in latitude and longitude

he seized and detained the ship or vessel called "Escravo," whereof Pereiro de Mattos was Master, by reason that the said ship was employed in the traffick in slaves, contrary to the existing Treaties, entered into with His Britannick Majesty and His Most Faithful Majesty the King of Portugal; and the deponent further maketh oath, that the paper writings and documents, hereunto annexed, marked from No. 1. to No. inclusive, were given or delivered up to this deponent, by the Master of the said ship or vessel, and that the same are now brought and delivered up, in the same plight and condition, as when so received by this deponent, without any fraud, addition, subdaction, alteration, or embezzlement whatever, save the numbering and marking thereof.

On the 25th day of May 1819, the said Sir James Lucas Yeo, Knight, was } James Lucas Yeo.
duly sworn to the truth of this affidavit.

Before me

Thomas Gregory, Commissary Judge [or as the case may be.]

It is not absolutely necessary that the affidavit should be made by the Commander of the capturing ship, the Officer in charge of the ship captured is equally competent thereto.

In cases where there shall have been any suppression, concealment, or discovery of papers, the same should be set forth in the affidavit; the circumstances, and the place where the same were concealed or discovered, should be minutely stated, and if any letters or papers were delivered up at any other period, than at the time of capture, that fact should be introduced in the affidavit, together with the name of the person or persons who delivered the same.

In the event of a vessel being captured, and there being no papers found on board of her, it will be necessary that the Captor should make the affidavit conformable to the facts, in order that proceedings may be instituted thereon, such affidavit and papers, or the affidavit accounting for them, being the foundation of the proceedings: and upon the affidavit being brought in before one of the Commissary Judges, or Commissioners of Arbitration, in the presence of the Registrar, a minute of the following tenour should be recorded by the latter Officer, who should keep a book, into which he should enter all the acts, minutes, and decrees had under the Commission, as the same may respectively occur, which, being indexed in the captured ship's name, reference may be easily had to the whole of the proceedings in each case.

The Commissioners are directed to proceed, in the first place, upon the examination of the papers of the vessel, and the depositions, on oath, of the Captain, and two or three, at least, of the principal individuals on board of the detained vessel. The Master is the only individual specifically pointed out, whose examination is absolutely necessary to be taken, leaving it at the option of the Captors, to select any other person belonging to the captured vessel; but it has been usual in Prize Courts to direct, that either the mate or the boatswain should be one of the other witnesses to be examined; these persons being considered as the most likely to have a correct knowledge of the general circumstances attending the course and employment of the vessel. If there be a Supercargo on board, he should be also examined, as supposed to be intimately acquainted with all the circumstances relating to the cargo, and the trade in which it was engaged.

No. 16.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Dec. 27.)

MY LORD,

Sierra Leone, October 18, 1830.

WITH reference to our despatch to your Lordship, under date of the 21st ultimo, upon the subject of the slave-trade, at present carried on in the vicinity of this colony; we have now, in farther confirmation thereof, the honour to

forward, enclosed to your Lordship, the copy of a letter which has been addressed by the Assistant Superintendent of Liberated Africans here, to Lieutenant-Governor Findlay; who has transmitted the same to us to lay before your Lordship.

Since the date of our said despatch, His Majesty's brig "Plumper" arrived here; and her Commander, Lieutenant Adams, learning that the rivers to the northward hereof had many vessels in them slaving, immediately proceeded thither, in the hope of capturing some, or of frustrating the intention of all such vessels, engaged in the illicit traffick.

We have not heard of the brig of war's movements, since her departure from this on the 9th instant, but we sincerely trust that she may be successful in the object which her Commander has in view.

We have, &c.

(Signed)

ALEX. FINDLAY.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

WM. SMITH.

Enclosure in No. 16.

Mr. Cole to Lieutenant-Governor Findlay.

SIR,

Liberated African Department, Freetown, Oct. 7, 1830.

I DEEM it necessary to acquaint your Excellency, that on my late visit to the Mellicouree, (30 miles to the northward of this colony) a Spanish schooner, of about 130 tons burthen, came into that river, under a pretext of procuring rice, but whose object was, no doubt, to purchase a cargo of slaves. She was well armed and manned, and, to avoid detection, had adopted the precaution to anchor as far up the river as she could possibly get. The Captain's name is Victor, who was supercargo of the Spanish brig "El Juan," condemned in December, 1828.

From the information, which I gained from the natives of the Mellicouree, it appears, that this is the only instance of a slave-vessel visiting that river (or several years; a circumstance the more to be regretted at this time, as several of our colonists have recently induced the natives to cut and square the teak timber, and have established 5 factories, where it is purchased and shipped for Great Britain. It is, however, much to be feared, that, whilst the slave-traders find they can carry on their criminal proceedings in our vicinity with impunity, that detestable traffick will eventually, as it has done in the Sherbro, supersede the innocent commerce, at present existing between this colony and the Mellicouree.

Your Excellency will, I am sure, excuse the liberty I have taken, in making this representation, being actuated in doing so, solely from a desire to see legitimate trade supported, and a stop put to that abominable traffick, which consigns so many of its unfortunate victims to endless slavery,—as far as the Authorities of the colony have the power of doing so.

I have the honour to be, &c.

(Signed)

THOS. COLE.

His Excellency Lieutenant-Governor Findlay.

Assistant Superintendent.

No. 17.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, December 31, 1830.

YOUR despatches up to those of the 30th of October, 1830, have been received.

I have communicated to the Board of Admiralty, your despatches of September 21st, and October 18th, reporting the increase of slave-trade in the neighbourhood of Sierra Leone, and suggesting, that a vessel of war, furnished with instructions under the Treaties, should be stationed at that place, and made subject to the orders of the Governor of that Settlement.

The Board of Admiralty have answered, that they cannot comply with this suggestion, as it is contrary to the custom of the service to place any of His Majesty's ships under a Colonial Government; but that strict orders are given to the senior Officer on the African station, for the prevention of the slave-trade, and the protection of the British settlements and commerce.

I am, &c.

(Signed)

PALMERSTON.

His Majesty's Commissioners.

SIERRA LEONE. (Spain.)

No. 18.

*His Majesty's Commissioners to the Earl of Aberdeen.—
(Received March 4, 1830.)*

MY LORD,

Sierra Leone, November 21, 1829.

ENCLOSED we have the honour to transmit, for your Lordship's information, our report of the case of the Spanish brig "*Octavio*," captured on the 9th ultimo, in or about latitude $4^{\circ} 10' N.$, longitude $7^{\circ} 20' E.$, by His Majesty's brig "*Clinker*," Lieutenant George William Matson commanding, with 366 slaves on board, who had been shipped, 2 days previously, in the River Bonny.

The illicit traffick in which the "*Octavio*" was engaged was so manifest, that the Court, at its sitting, on the 19th instant, condemned her as lawful prize to the Governments of Great Britain and Spain, and emancipated her surviving slaves, to the number of 335—31 having died since capture.

The "*Octavio*" was armed with 8 carriage guns of a large calibre, with a crew of 40 men, and was prepared for desperate resistance, but, happily, made none, as she was taken by surprize.

We have, &c.

(Signed)

H. J. RICKETTS.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 18.

Report of the Case of the Spanish Brig "Octavio," Juan Roche, Master.

THE Spanish brig "*Octavio*," commanded by Juan Roche, furnished with a passport from St. Jago de Cuba, signed by Francisco Javier Radillo, the Captain of that port, dated the 6th July, 1829, and numbered Ten, authorizing a commercial voyage to Prince's Island, was captured, on the 9th of October, in or about latitude $4^{\circ} 10' N.$, longitude $7^{\circ} 20' E.$, by His Majesty's brig "*Clinker*," Lieutenant Matson commanding, with 360 slaves on board, said to have been shipped in the River Bonny, on the 6th of the same month.

The "*Octavio*" arrived here on the evening of the 11th of November, having lost 25 slaves by death on the passage; and, on the following morning, was visited by the Surgeon to the Court, who reported "that 7 of the slaves, of whom 3 were in a dying state, laboured under dysentery; that a few were very much emaciated, without other apparent disease; and that many were affected with "*Craw Craw*:" all whom he recommended to be landed immediately, as well to afford them medical attendance, as to lessen the present crowded state of the vessel." 103 of them who were thus sickly, were accordingly disembarked on the 13th, and delivered into the charge of the Liberated African Department. On the 16th following, arrangements in the mean time having been made for their reception, 124 more were landed, which left those remaining on board in a state of as great comfort as those who were brought on shore.

The ship's papers were brought into Court, and filed, on the 12th, duly authenticated by the affidavit of Mr. Saintsbury, Midshipman of His Majesty's brig "*Clinker*," and Prize-master of the "*Octavio*." A monition was, on the same day, prayed for, and granted: it accordingly went forth, and was returned, certified to have been duly served, on the 19th following.

Only 1 witness was presented for examination in this case. This was accounted for by an affidavit of Mr. Saintsbury, stating "that the Master of the "*Octavio*" being in a very sickly state at

the time of capture, was, at his own request, allowed to go on shore; that the cook and steward were detained on board to give evidence, and that, on the passage up, the cook departed this life." Thomas, the steward, was examined on the standing interrogatories, on the 13th instant, and he deposed "that Ignacio Carbonaro, resident at St. Jago de Cuba, was the owner of the vessel; that he there appointed the master to the command; that the vessel sailed under Spanish colours; that the present voyage began, and was to have ended, at St. Jago de Cuba; that she sailed direct from thence to Bonny, where she took on board the whole of the slaves, 367 in number; that 2 days after having shipped them she was captured; that the Owner and the Master of the "*Octavio*" were the consignees of the slaves; and that they were to have been delivered at St. Jago de Cuba, for the real account, risk, and benefit of both those persons, viz. Ignacio Carbonaro and Juan Roche."

The illegal employment of this vessel in the slave-trade having been proved, the Court, at its sitting on the 19th instant, pronounced sentence of condemnation upon the brig "*Octavio*," as good and lawful prize to the Crowns of Great Britain and Spain, and as taken in such illicit traffick by His Majesty's brig "*Chinker*," Lieutenant Matson, Commander, and decreed the emancipation of the surviving slaves, 335 in number—31 having died since capture, viz. 25 on the passage up, and 6 since her arrival at this port.

(Signed)

H. J. RICKETTS.
WM. SMITH.

Sierra Leone, November 21, 1829.

No. 19.

His Majesty's Commissioners to the Earl of Aberdeen.—
(Received March 4, 1830.)

MY LORD,

Sierra Leone, November 28, 1829.

WE have the honour to forward, herewith, for the information of your Lordship, the report of the case of the Spanish brigantine "*Cristina*," Joaquim Rodriguez, Master, captured, on the 11th of October last, in latitude 1° 51' N., longitude 5° 51' E., by His Majesty's brig "*Black Joke*" tender to the "*Sybil*" under the command of Lieutenant Parrey; having on board 348 slaves, who had been shipped in the River Brass.

The "*Cristina*," on her passage to Sierra Leone, struck on the Scarcies Bank, and almost immediately filled with water; but we are happy to say no lives were lost by the accident, the slaves having been landed by the assistance of the boats of an English merchant-ship, the "*Sappho*," then lying in the Scarcies River. Immediately this circumstance was known here, a vessel, called the "*Frederick*," was dispatched, by the Captor's Agent, for the slaves, which vessel returned, on the 15th November, with 232, the survivors of the number captured; all of whom, being in a very sickly state, were landed on the morning of the 17th.

The illicit employment of the "*Cristina*" in the slave-trade having been fully proved, the Court pronounced, that she was subject and liable to confiscation, as good and lawful prize to the Governments of Great Britain and Spain, and emancipated her surviving slaves, on the 27th instant.

The great mortality amongst the slaves of the "*Cristina*," from the period of her capture to the day of her adjudication, arose from that terrible scourge, the small-pox; which breaking out amongst them, in a small vessel, crowded together as they were, spread with rapidity through the whole number on board, and carried off 116 previously to their arrival here, and 16 after they were landed.

We have, &c.

(Signed)

WALTER W. LEWIS.

The Right Hon. the Earl of Aberdeen, K. T.

WM. SMITH.

&c.

&c.

&c.

Enclosure in No. 19.

Report of the Case of the Spanish Brigantine "Cristina," Joaquim Rodriguez, Master.

THE Spanish Brigantine "*Cristina*," under the command of Joaquim Rodriguez, and owned by Antonio M. Viniegro, of Havana, cleared out at that port, furnished with a Royal Commercial

Passport, on the 16th of February 1829, for a voyage to the Islands of Princes and St. Thomas, and was captured, on the 11th of October last, by His Majesty's brig "Black Joke," tender to His Majesty's ship "Sybille," Lieutenant Parrey commanding, in latitude $1^{\circ} 51' N.$, longitude $5^{\circ} 51' E.$, with a cargo of slaves on board, said to have been embarked in the River Brass, Bight of Biafra.

On the 16th of November the ship's papers were brought in, and filed, authenticated by the affidavit of the Prize Master, Mr. Slade, who therein further swore, "that the said brigantine, on the 10th of November, struck on the Scarcies Bank, and shortly after filled with water; that himself, and the men under his command, used every possible exertion to get the said vessel off the said bank, but without effect; that every attention was then paid to preserve the lives of the slaves; and that, on the 13th following, a vessel, called the "Frederick," belonging to the Port of Sierra Leone, having arrived to the assistance of the said brigantine, he (deponent) embarked the surviving slaves, the cargo of the said brigantine, on board thereof."

The "Frederick" arrived in this harbour late in the night of the 15th, with 232 slaves on board, 116 having died on the passage to this port, from small-pox. Early on the following morning, Mr. Boyle, the Surgeon to the Court, proceeded on board, and reported, "that most of the people then remaining appeared to have been affected with small-pox, and were very much debilitated; that many had "Craw Craw"; and that about 10 were affected with ophthalmia: from all which circumstances, he recommended them to be landed as speedily as possible." They were, therefore, on the following morning, disembarked at Kissy, and placed in the hospital there, under the charge of the Colonial Government.

The monition, citing all parties interested to appear, went forth on the 16th, and was returned, certified to have been duly served, on the 24th.

On the 18th and 19th, 2 seamen of the vessel, Gregorio Ferrandez and Miguel Henri, were examined on the standing interrogatories. They both swore, "that the present voyage began, and was to have ended, at the Havana; that the River Brass was the only place touched at during the present voyage; and that all the slaves were there taken on board."

On the 21st, the examination of the Master was taken, who corroborated the above evidence, and further swore, "that Don Antonio, a resident of the Havana, was the Owner of the vessel; that he appointed witness to the command of her at that place; and that the slaves were shipped for the real account, risk, and benefit of the aforesaid Don Antonio."

On the 27th of November, the Court met for the adjudication of the "Cristina," and pronounced her to have been, at the time of capture, engaged in the illicit traffick in slaves, and, as such, subject and liable to condemnation, as good and lawful prize to the Crowns of Great Britain and Spain, and as taken in such illicit traffick by His Majesty's brig "Black Joke," tender to His Majesty's ship "Sybille," Lieutenant Parrey, Commander, and emancipated the surviving slaves, 216 in number; 116 having died previous to her arrival in the harbour, and 16 since they had been landed; 348 having been on board at the time of capture.

Sierra Leone, November 28, 1829.

(Signed)

WALTER W. LEWIS.
WM. SMITH

No. 20.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received March 7.)

MY LORD,

Sierra Leone, January 5, 1830.

WE have the honour to forward to your Lordship, herewith, an abstract of the proceedings of the British and Spanish Court of Mixed Commission, established in this colony, during the year 1829.

5 Vessels were adjudicated in that Court, which were all cases of condemnation, and 1,427 slaves emancipated.

We have the honour to be, &c.

(Signed)

A. F. EVANS.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 20.

Abstract of Proceedings under the British and Spanish Mixed Commission at Sierra Leone, from January 1, 1829, to January 1, 1830.

No. 1. The Spanish brig "El Almirante," commanded by Damaso Forgannes, and owned by José Maurin, of the Havana, was furnished with a commercial passport for a voyage to Princes

Island. She was captured, on the 1st of February, 1829, in latitude $3^{\circ} 50' N.$, longitude $4^{\circ} 25' E.$, by the "Black Joke," tender to His Majesty's ship "Sybille," Lieutenant Downes commanding, after a severe action, during which the Master and all the Officers, excepting the third mate, were killed. 466 slaves were proved to have been on board previous to the engagement, and all were shipped at Onim (Lagos). The Court, therefore, condemned "El Almirante," and emancipated the surviving slaves, 416 in number, on the 20th of March, 1829—11 having been killed or missing during the action, and 39 having died since capture.

No. 2. The Spanish schooner "Panchita," Felipe Ramos, Master, and José Duros, Owner, furnished with a commercial passport, dated Havana, the 28th October, 1828, authorizing a voyage to St. Thomas, on the Coast of Africa, was captured, on the 29th of April, 1829, by His Majesty's ship "Sybille," Commodore Collier, in latitude $3^{\circ} 58' N.$, longitude $5^{\circ} 02' E.$, having on board 292 slaves. The evidence proved these slaves to have been shipped, 4 days previous to capture, in the Calabar. The Court, therefore, condemned the "Panchita," on the 24th of June, 1829; at which time her surviving slaves, 259 in number, were decreed to be emancipated—33 having died between capture and condemnation.

No. 3. The Spanish schooner "Clarita," José Rodriguez, Master, was furnished with a Royal passport for a legitimate voyage to St. Thomas, and was captured, on the 17th of August, 1829, in latitude $0^{\circ} 25' 5'' N.$, longitude $8^{\circ} 54' 9'' E.$, by His Majesty's ship "Medina," Captain Edward Webb, with 261 slaves on board. The evidence in this case clearly proved, that these slaves were taken on board in the River Bonny, to which place she had sailed direct, after leaving Havana, and that Pablo Gonzales, a resident there, was the Owner of the "Clarita." The Court met for the adjudication of this case on the 19th of September, and passed sentence of condemnation upon the "Clarita," as good and lawful prize, and decreed the emancipation of her surviving slaves, 201 in number—60 having died between the period of capture and condemnation.

No. 4. The Spanish brig "Octavio," Juan Roche, Master, and Ignacio Carbonaro, Owner, was furnished with a passport from St. Jago de Cuba for a commercial voyage to Prince's Island, and was captured, on the 9th of October, 1829, by His Majesty's brig "Clinker," Lieutenant Matson commanding, in $4^{\circ} 10' N$ latitude, $7^{\circ} 20' E$ longitude, having on board 366 slaves, who were proved to have been embarked in the River Bonny. The "Octavio" was, consequently, condemned, on the 19th of November, 1829, and her surviving slaves, 335 in number, decreed to be emancipated—31 having died previous to adjudication, and since capture.

No. 5. The Spanish brigantine "Cristina," Joaquim Rodriguez, Master, owned by Antonio M. Viniegro, was captured, in latitude $1^{\circ} 51' N.$, longitude $5^{\circ} 51' E.$, by His Majesty's brig "Black Joke," tender to the "Sybille," under the command of Lieutenant Parrey, on the 11th of October, 1829, with 348 slaves on board.

The "Cristina," on her passage up to Sierra Leone, was wrecked on the Scarcies Bank, but no lives were lost; the prize crew, evidence, and slaves having been brought here in a vessel dispatched by the Captor's agent for that purpose.

The evidence having proved, that the slaves were shipped in the River Brass, Bight of Biafra, the Court, on the 27th of November, pronounced the "Cristina" as subject and liable to condemnation, and emancipated the surviving slaves, 216 in number—132 having died, principally of small pox, since capture.

(Signed) A. F. EVANS.
WM. SMITH.

Sierra Leone, January 1, 1830.

No. 21.

His Majesty's Commissioners to J. Backhouse, Esq.—(Received March 7.)

SIR,

Sierra Leone, January 5, 1830.

IN pursuance of the 15th clause of the Act, passed in the 5th year of His present Majesty's reign, intituled "An Act to amend and consolidate the Laws relating to the abolition of the Slave-trade," we beg leave to enclose, herewith, a return of all the cases of Spanish vessels adjudicated in the British and Spanish Court of Mixed Commission, established in this colony, from the 1st of July 1829, to the 1st instant.

We have, &c.

(Signed) A. F. EVANS.
WM. SMITH.

John Backhouse, Esq.
&c. &c. &c.

Enclosure in No. 21.

Return of Spanish Vessels adjudicated by the British and Spanish Commission established at Sierra Leone, betwixt the 1st July 1829, and the 1st January 1830.

NAME of VESSEL.	Date of Seizure.	Where Captured.		Property Seized.	SEIZOR.	Date of Sentence.	Number of Slaves captured.	Number of Slaves before Adjudica- tion.	Total emancipated.	Decretal part of San- tence, whether For- feiture or Restitu- tion.	Whether Property condemned has been sold or converted, and whether any part remains un- sold, and in whose hands the Proceeds remain.
		Latitude.	Longitude.								
Clarita	Aug. 17, 1829	0° 23' 5" N.	8° 54' E.	{ Schooner and 261 slaves . . }	{ Edwd. Webb, Esq. H. B. M. S. Medina . . }	Sept. 19, 1829	261	60	201	{ Condemned for being engaged in the illicit traffick in slaves.	{ The schooner and stores sold by pub- lick auction, and the proceeds paid into the military chest.
Octavio	Oct. 9, —	4° 10' N.	7° 20' E.	{ Brig and 366 slaves }	{ George Wm. Matson, Esq. H. B. M. B. Clinker . . . }	Nov. 19, —	366	31	335	Ditto Ditto	{ The brig and stores sold by publick auction, but the proceeds remain in the hands of the Commissioners of Appraisement and Sale, the accounts not having yet been returned into the registry.
Cristina . . .	Oct. 11, —	1° 51' N.	5° 51' E.	{ Brigantine and 348 slaves . . }	{ F. A. Collier, C. B. Tender (Black Joke) of H. B. M. S. Sybille . . . }	Nov. 27, —	348	132	216	Ditto Ditto	{ The wreck of the brig, and a part of the tackle and apparel saved from the same, were sold by publick auc- tion, but the proceeds remain in the hands of the Commissioners of Ap- praisement and Sale, the accounts not having yet been returned into the registry.

N. B.—The proceeds of the sale of the schooner "*La Panchiza*" and stores, reported in the last return as being in the hands of the Commissioners of Appraisement and Sale, have since been paid into the military chest.

(Signed) A. F. EVANS.
WM. SMITH.

(Signed) THOS. COLE, Acting Registrar.

No. 22.

W. Smith, Esq. to the Earl of Aberdeen.—(Received June 3.)

MY LORD,

Sierra Leone, April 3, 1830.

I HAVE the honour to report to your Lordship the arrival here, on the 31st March, of a Spanish schooner, named the "*Maria de la Concepcion*," of Matanzas, commanded by D. Santiago Comas, with 79 slaves on board, having been detained, by the boats of His Majesty's ship "*Primrose*," E. J. Parrey, Esq. Commander, in the Rio Pongos, on the 24th of the same month.

The slaves are all healthy, and have been disembarked, and are in the charge of the Liberated African Department.

The inhabitants of the Rio Pongos are notorious for carrying on the slave-trade, yet their general habits of robbery, and false dealing with slavers, render it very dangerous for vessels of so small a size as the "*Maria de la Concepcion*," (31 tons burthen) to carry on that traffick with them.

It has been reported in this colony, that Spaniards, in larger vessels, well armed, who thereby compelled the persons, with whom they engaged, to complete their contracts, have been successful in carrying off some cargoes of slaves from that river; the "*Maria de la Concepcion*" is, however, the only one that has been captured there during the last 6 years. A canoe was actually alongside of her, for the purpose of relanding the slaves, when she was boarded; and had the boats of the "*Primrose*" been 15 minutes later, that object would have been perfectly effected.

The "*Maria de la Concepcion*" makes the 7th vessel awaiting adjudication, and encreases the number of slaves awaiting emancipation to nearly 1,300.

I have, &c.

(Signed)

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 23.

W. Smith, Esq. to the Earl of Aberdeen.—(Received June 3.)

MY LORD,

Sierra Leone, April 8, 1830.

I HAVE the honour to report to your Lordship the arrival here, on the 5th instant, of another Spanish slaver, named the "*Manzanares*," Manoel Alcantara, Master, with 348 slaves on board.

The "*Manzanares*" was captured, on the 1st of the present month, off the Galinas, by His Majesty's brig "*Black Joke*," under the command of Acting Lieutenant Coyde, after a chase of 12 hours.

The slaves, after capture, rose upon the crew on board, and, in quelling them, some were very severely wounded. Several amputations of arms, and a leg, have been, in consequence, necessary. Owing to this affair, the exact number of slaves on board at the time of detention, could not be ascertained. 6 died during the few days she was coming up.

The slaves were, otherwise, healthy; their extremely crowded state, however, rendered it very desirable that they should be disembarked. They were accordingly landed, on the 6th instant, and placed in the charge of the Liberated African Department.

The "*Manzanares*" makes the 11th vessel brought before the Courts, already this year; 2 having been adjudicated on the 14th January, and 9 now lying here for that object. The "*Manzanares*" cargo has encreased the number of slaves awaiting the decision of the Mixed Commissions, to about 1,650.

I have, &c.

(Signed)

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

H

No. 24.

W. Smith, Esq. to the Earl of Aberdeen.—(Received June 15.)

MY LORD,

Sierra Leone, April 15, 1830.

I HAVE the honour to enclose, for your Lordship's information, the copy of a letter, which has been addressed to me by Mr. Robert Dougan, Agent to His Majesty's ships "Sybille," and "Primrose," together with a copy of the reply I returned to that gentleman.

From this correspondence, your Lordship will learn, that Captain Fraser was willing to distribute the slaves, captured on board the Spanish vessels, "*Maria de la Concepcion*" and "*Manzanares*," provided that measure met my concurrence, a concurrence I readily gave, for the reasons assigned in my reply to Mr. Dougan.

Mr. Dougan has, since then, personally acquainted me, that the slaves taken on board the aforesaid vessels, amounting to about 420, have been distributed in the mountain villages.

I have, &c.

(Signed)

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

First Enclosure in No. 24.

Mr. Dougan to W. Smith, Esq.

SIR,

Sierra Leone, April 13, 1830.

THE Acting Governor is willing to take charge of, and distribute, the slaves landed from the Spanish schooner "*Maria de la Concepcion*," detained by His Majesty's sloop "Primrose," as also those landed from the Spanish brigantine "*Manzanares*," detained by His Majesty's brig "Black Joke," a tender to His Majesty's ship-of-war, "Sybille," so as to save the Captors any further expense in supporting them.

Will you, Sir, have the goodness to say, if this mode of disposing of the slaves in question, meets with your concurrence.

I have, &c.

(Signed)

ROBT. DOUGAN,

Wm. Smith, Esq.,

Agent for His Majesty's ships "Primrose" and "Sybille."

His Britannick Majesty's Commissioner of Arbitration.

Second Enclosure in No. 24.

W. Smith, Esq. to Mr. Dougan.

SIR,

Sierra Leone, April 13, 1830.

I HAVE to acknowledge the receipt of your letter, of this date, acquainting me, that the Acting Governor is willing to take charge of, and distribute, the slaves lately captured by His Majesty's ship "Primrose," and His Majesty's brig "Black Joke," on board the Spanish vessels, "*Maria de la Concepcion*" and "*Manzanares*," and enquiring of me, if such mode of disposing of those slaves, meets with my concurrence.

In reply thereto, I have to acquaint you, that it will always afford me much satisfaction, if, in the performance of my public duty, I can, in any way, alleviate the sufferings of the unfortunate slaves, captured and brought in here by the squadron, or relieve the Captors of such slaves from heavy expense.

The distribution of the slaves in question, will, therefore, meet with my approval.

I am, &c.

Robert Dougan, Esq.,

(Signed)

WM. SMITH.

Agent to His Majesty's ships "Sybille" and "Primrose."

No. 25.

W. Smith, Esq. to the Earl of Aberdeen.—(Received June 15.)

MY LORD,

Sierra Leone, April 26, 1830.

I HAVE the honour to report to your Lordship the arrival here, on the 23d instant, of a Spanish schooner, named the "*Altimara*," Pedro Sala, Master.

The "*Altimara*" was detained by His Majesty's brig "Clinker," Lieutenant G. W. Matson commanding, in latitude 4° 4' N., longitude 4° 54' E., on the 27th ultimo, having then on board 249 slaves, and was bound to Cuba.

Twenty-four of the slaves died on the passage up to this port; the greater part of the remaining number, (225,) were, more or less, afflicted with the small-pox.

The "*Altimara*" was, therefore, ordered to proceed with them up the river to the village of Kissy, where they were landed, and placed in the Liberated African Hospital, at present established there, on the 25th ultimo.

I have, &c.

(Signed)

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 26.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received July 19.)

MY LORD,

Sierra Leone, May 12, 1830.

WITH our present despatch, we have the honour to enclose a report of the case of the schooner "*Maria de la Concepcion*," Santiago Comas, Master, sailing under Spanish colours, and furnished with papers, obtained at Matanzas, in the Island of Cuba, but owned by Juan Fernandez, of the Danish Island of St Thomas.

It appears by the ship's papers, that the "*Maria de la Concepcion*," after leaving Matanzas, went to Porto Rico, and from thence to St. Thomas, from which latter island she cleared out for Cape Verd, on the 4th of August, 1829. She, however, sailed direct from St. Thomas, for the Rio Pongos, and had shipped her slaves (who had been purchased for the account of the said Juan Fernandez,) from a place called Bongolong, and had had them on board 3 days previous to her detention by the boats of His Majesty's ship "Primrose," on the 24th of March.

Sentence of condemnation was, therefore, recorded against the "*Maria de la Concepcion*," and the 79 slaves taken on board, were decreed to be emancipated on the 11th instant.

We have, &c.

(Signed)

ALEX. FINDLAY.

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 26.

Report of the Case of the Spanish Schooner "Maria de la Concepcion," Santiago Comas, Master.

THE Spanish schooner, "*Maria de la Concepcion*," was captured, on the 24th of March 1830, in the River Pongos, by His Majesty's ship "Primrose," Edward Iggulden Parrey, Esq. Acting Commander, with 79 slaves on board, who were declared to have been embarked at a place called Bongolong, in that river, on the 21st of the same month.

The "*Maria de la Concepcion*" arrived here on the 31st of March, with all her slaves, as stated by the Surgeon in his report, in good health; but, on the 2d of April, a petition was made, that the slaves, although at that time healthy, might be landed, on account of the small size of the vessel, (only about 40 tons burden.) This was granted, and they were landed the same day, and given into the charge of the Liberated African Department.

On the 28th of April, the Proctor for the Captor prayed that the ship's papers, in this case, might be filed, and the usual monition, citing all parties interested in the "*Maria de la Concepcion*" to appear, might go forth. The prayer of this petition having been granted, the papers were filed, duly authenticated by the affidavit of Mr. Bentham, the Prize-Master, and the monition issued on the same day; and it was returned, on the 5th of the following month, certified to have been duly served.

By the ship's papers of the "*Maria de la Concepcion*," it appears, that she left Matanzas, for Puerto Rico, on the 11th of June 1829, and arrived at that port on the 3d of July following. From Puerto Rico she cleared out, on the 9th of that month, for the Danish Island of St. Thomas; and

from thence she sailed, on the 4th of August, for Cape Verde. The said papers do not mention to whom she belonged.

On the 3d of May, Louis Leuca, the boatswain, the only witness in this case, was examined on the standing interrogatories; an affidavit of the Captor's Proctor having been filed, to account for the absence of the Master, Santiago Coimas, who had been also sent to this place to give evidence, but who, on account of the Courts having been so long closed, had, in the interval, departed from the colony.

Louis Leuca deposed, "that the name of the Master of the "*Maria de la Concepcion*" is Santiago Coimas; that Juan Fernandez, a resident at the Island of St. Thomas, was the Owner of the vessel, and appointed the said Master to the command of her at that island; that the present voyage began at St. Thomas, but that he does not know where it was to have ended; that Bongolong, in the Rio Pongos, was the only place touched at during the present voyage; that the whole of the slaves, 79 in number, were embarked at that place; and that they were shipped for the real account, risk, and benefit of the said Juan Fernandez."

The evidence of this witness having thus clearly established the illicit employment of the "*Maria de la Concepcion*," the Court, at its sitting, on the 11th of May 1830, condemned the said vessel, as good and lawful prize to the Crowns of Great Britain and Spain, and as taken in such illicit traffick, by His Majesty's ship "*Primrose*," Edward Iggulden Parrey, Esq. Commander, and emancipated her slaves, 79 in number, none having died since capture.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

Sierra Leone May 12, 1830.

No. 27.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received July 19.)

MY LORD,

Sierra Leone May, 12, 1830.

WE have the honour to enclose, herewith, for the information of your Lordship, our report of the case of the Spanish schooner "*Manzanares*."

The "*Manzanares*" was commanded by Manoel Alcantara, and was owned by Francisco Miente, of the Havana, from which port she cleared out, for a mercantile voyage to the Island of St. Thomas, on the 27th of August 1829.

On her voyage to the Coast of Africa, she put into the Cape de Verde to repair a leak, and from thence she went direct to Cape Mount, where she purchased 354 slaves; and was on her return to the Havana, when she was fallen in with, on the 1st of April, in latitude 6° 17' N., longitude 14° 13' W., by His Majesty's brig "*Black Joke*," Acting Lieutenant Coyde, commanding, and, after a chase of 12 hours, was captured.

After the capture of the "*Manzanares*," and before the confusion attendant thereon had subsided, the slaves rose upon the captors, and 1 officer, whom they succeeded in getting down, (Mr. Lane, Assistant Surgeon) was seriously injured by them. They were, however, quelled, but not until several were very severely wounded, who are now in a favourable state of recovery.

A Court was held for the adjudication of the "*Manzanares*," on the 11th instant, when sentence of condemnation was pronounced upon her, as good and lawful prize to the Crowns of Great Britain and Spain, and 349 slaves, 5 having died, were directed to be emancipated.

We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 27.

Report of the Case of the Spanish Brigantine "Manzanares," D. Manoel Alcantara, Master.

THE Spanish brigantine "*Manzanares*" was commanded by D. Manoel Alcantara, and furnished with a Royal Passport from Madrid, dated the 11th December 1825, which was renewed at the Havana, on the 27th of August 1829, for a commercial voyage from thence to the Island of St. Thomas. She was captured, in or about latitude 6° 17' N., longitude 14° 13' W., on the 1st of April 1830, by His Majesty's brig "*Black Joke*," Acting Lieutenant Coyde, commanding, with 354 slaves on board, who were stated, in the Captor's declaration, to have been shipped at the Gallinas, on the 27th of the previous month.

The "*Manzanares*" arrived at Sierra Leone on the 5th of April, with 349 slaves on board, having lost 5 by death on the passage up, and was, on the following day, visited by the Surgeon to the Court, who reported, "that amongst the slaves were a great many sabre wounds, and 3 amputated stumps, arising from the circumstance of their having mutinied; that there were about 40 cases of diarrhoea, and a few of purulent ophthalmia; and the "*Manzanares*," from her crowded state, was of necessity in an unclean and unhealthy condition; from all which circumstances he recommended, that the slaves should be landed as soon as possible." Directions to that effect were, therefore, given, and they were accordingly landed on the same day, and placed in the charge of the Colonial Government.

The "*Manzanares*" ship's papers were filed on the 30th of April, duly authenticated by the affidavit of Mr. Coyde, the capturing officer; and a Motion having been prayed for, was issued on that day, and returned, on the 7th of May, certified to have been duly served.

On the 8d of May, the Master, Manoel Alcántara, was examined on the standing interrogatories, who deposed, "that he was appointed to the command of the "*Manzanares*" by Don Francisco Mucante, a resident of the Havana; that the said Francisco Mucante was the Owner of the vessel, and of the slaves captured on board of her, who were to have been delivered for his account and risk, at the Havana; that all the said slaves, 354 in number, were shipped at Cape Mount; that Cape Mount and the Cape de Verd Islands, were the only places the "*Manzanares*" touched at since leaving the Havana, where the present voyage began, and where it was to have ended."

On the 6th of May, the other remaining witness, José-López Gonda, the Second Boatswain, was examined on the standing interrogatories, and corroborated the Master's evidence, as to the 354 slaves having been shipped at Cape Mount.

The Court, therefore, on the 11th of May 1830, condemned the "*Manzanares*," as good and lawful prize to the Crowns of Great Britain and Spain, and as taken in the illicit traffic in slaves, by His Majesty's brig "*Black Joke*" tender to His Majesty's ship "*Sybilite*," Acting Lieutenant Coyde, commanding; and emancipated her surviving slaves, to the number of 349; 5 having died between the period of capture and adjudication.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

Sierra Leone, May 12, 1830.

No. 28.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received July 19.)

MY LORD,

Sierra Leone, May 12, 1830.

WE beg leave most respectfully to enclose, herewith, a report of the case of the Spanish schooner "*Altimara*," Pedro Sala, Master, owned in part by himself, and in part by other Spaniards, resident at the Havana, whose names he would not reveal.

The voyage, in which the "*Altimara*" was detained, began at St. Jago de Cuba, having obtained papers from the Government of that province, dated the 24th October, 1829, and from thence she sailed direct to the River Brass, near Cape Formosa. Having obtained a cargo of slaves in that river, she sailed therefrom on the 23d of March, and was detained, on the following 27th, by His Majesty's gun-brig "*Clinker*," Lieutenant Matson, commanding, in latitude 4° 00' N., longitude 5° 00' E., having on board 249 slaves.

At the time of the detention of the "*Altimara*," the slaves were suffering from small-pox, and 32 died from that cause on the passage up. On her arrival here, the Surgeon to the Courts reported 3 fourths to be suffering from that disease, and that fresh cases were still occurring. The survivors were, therefore, landed at Kissy, and precautions taken, by keeping them separate, to prevent the spread of that fatal disease among the inhabitants of the colony. 19, however, died from the period of their being landed, on the 25th of April, (making a total of 51 deaths) up to the day of the adjudication of the "*Altimara*," which took place on the 11th instant, when she was condemned, as good and lawful prize to the Crowns of Great Britain and Spain, and 198 slaves decreed to be emancipated.

We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 28.

Report of the Case of the Spanish Schooner "Altimara," Pedro Sala, Master.

THE Schooner "*Altimara*," sailing under Spanish colours, and commanded by Pedro Sala, was furnished with papers from the Government of the Province of Cuba, dated the 24th October, 1829, and she was captured, on the 27th of March, 1830, by His Majesty's gun-brig "*Clinker*," Lieutenant Matson commanding, in or about latitude 4° 00' N., longitude 5° 00' E., with 249 slaves on board, who had been shipped in the River Brass, near Cape Formosa, on the 23d of the same month.

The "*Altimara*" arrived in this harbour on the 23d of April, with 217 of her slaves on board; the Prize Master having deposed, that 32 had died from the time of her capture until her arrival here.

The "*Altimara*" was immediately visited by Dr. Boyle, the Surgeon to the Court, who, in his report, stated the slaves to be suffering severely from small-pox; that 3-fourths were already afflicted with that disorder; and that fresh cases were still occurring; he, therefore, recommended their being early landed at Kissy, and kept entirely separate from the inhabitants of that place.

The vessel accordingly proceeded up the river to that village, where the slaves were landed, on the 25th, as recommended, and placed in the Liberated African Hospital there.

On the 27th of April the Captor's Proctor petitioned the Court, that the ship's papers of the "*Altimara*" might be filed, and that the usual monition might issue; which having been granted, the papers were accordingly filed, duly authenticated by the affidavit of the Prize Officer, Mr. Browne, and the monition issued on the following day, and it was returned on the 6th of May, certified to have been duly served.

On the latter day, the Master, Pedro Sala, and the Surgeon, Miguel Laacuxayn, were examined on the standing interrogatories. The Master swore, "he appointed himself to the command of the "*Altimara*," he being part owner; that he had 3,000 dollars interest in the vessel and cargo; and that the first Mate had about 2,000 dollars interest in the same; that he cannot remember the names of the other part owners, but that they are Spaniards, and resident at the Havana; that the present voyage began at St. Jago de Cuba, and was to have ended there; that the "*Altimara*" sailed direct from thence to the River Brass, where the present cargo of slaves, to the number of 249, was shipped; that he cannot state the names of the owners of such cargo; but that it was to have been delivered at St. Jago de Cuba, for their real account, risk, and benefit."

The Surgeon, in answer to the same interrogatories, deposed, "that he believed the Master and first Mate had an interest in the vessel and cargo; and that the slaves, to the number of 249, were shipped in the River Brass, to which river the vessel had sailed direct from Cuba."

The Court met for the adjudication of the "*Altimara*," on the 11th of May 1830, and her employment in the illicit slave-trade having been unquestionably proved, pronounced sentence of condemnation upon the said vessel, as good and lawful prize to the Governments of Great Britain and Spain, and as taken in such illicit traffick by His Majesty's gun-brig "*Clinker*," Lieutenant Matson, Commander; and decreed the emancipation of her surviving slaves, 198 in number, 51 having died since capture, viz. 32 previous to their having been landed, on the 25th of April, and 19 from that day to the period of passing sentence.

(Signed)

ALEX. FINDEAT.
WM. SMITH.

Sierra Leone, 12th May, 1830.

No. 29.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Aug. 6.)

MY LORD,

Sierra Leone, May 29, 1830.

WE have the honour to enclose, herewith, for the information of your Lordship, our report of the case of the Spanish schooner "*Loreto*," alias "*Corunera*."

The "*Loreto*" was on her way to the Havana, when she was fallen in with, and captured, on the 12th instant, by His Majesty's brig "*Plumper*," Lieutenant John Adams, Commander, having on board 186 slaves, who had been shipped from Little Bassa (a place about 200 miles to leeward of this colony), on the previous 9th of the month.

The "*Loreto*" had been some months obtaining her slaves. She sailed from the Havana on the voyage, in which she was taken, so long ago as the latter end of August last. On her way to the coast she touched at Port Praya (the capital of St. Jago, one of the Cape de Verd Islands), and from thence went direct to Bassa. Off that place she was boarded by His Majesty's ship "*Sparrow Hawk*," on the 25th of December, then said to be procuring rice, and again by His Majesty's brig "*Plumper*," on the 17th of February, said to be slaving, as appears by the boarding Officer's endorsements on her papers.

The original Master, D. Miguel de la Vega, to whom the vessel and cargo is said to have belonged, died on the coast.

From the period of her capture to that of her adjudication was only 15 days, sentence of condemnation having been passed upon the "*Loreto*," alias "*Corunera*," on the 27th instant, at which time the Court also decreed the emancipation of 183 slaves, 2 having been lost overboard in a tornado, on her way hither, and 1 having died after arrival here.

We have, &c.

(Signed)

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

ALEX. FINDLAY.
WM. SMITH.

Enclosure in No. 29.

*Report of the Case of the Spanish Schooner "Loreto," alias "Corunera,"
Jozé Garcia Basurto, Master.*

THE Spanish schooner "*Loreto*," alias "*Corunera*," under the command of Jozé Garcia Basurto, was captured, on the 12th of May, 1830, by His Majesty's brig "*Plumper*," John Adams, Esq. Commander, in latitude 5° 24' N., longitude 10° 8' E., having on board 186 slaves, who had been shipped at Little Bassa, on the 9th of the same month.

The "*Loreto*," alias "*Corunera*," was furnished with a royal commercial passport, authorizing a voyage to the Islands of St. Thomas and Princes, and declaring her to be commanded by D. Miguel de la Vega, on whose death, at Little Bassa, Jozé Garcia Basurto, the first Mate, became Master.

The "*Loreto*," alias "*Corunera*," arrived in Sierra Leone Harbour on the 19th of May, with 184 slaves on board; she was immediately visited by the Surgeon to the Court, who reported all her slaves to be in good health, but recommended their being landed as soon as convenient, on account of the exposed situation of the harbour at this particular period of the year. 183 were accordingly landed early on the morning of the 24th of May (the intervention of Sunday preventing their being landed sooner), and delivered into the charge of the Colonial Government. On the day of the "*Loreto's*" arrival, her ship's papers were brought into Court, and filed, duly authenticated by the affidavit of the Prize Master, Mr. Brickwood. The usual monition was also on that day issued, and returned, on the 27th, certified to have been served.

The present Master of the "*Loreto*," alias "*Corunera*," Jozé Garcia Basurto, and the Boatswain, Jozé Rafael Alessio, were examined on the standing interrogatories on the 21st of May.

Jozé Garcia Basurto, the present Master, swore "that he succeeded to the command of the "*Loreto*," alias "*Corunera*," on the death of the original Master, at Little Bassa; that he was originally first Mate; that the present voyage began at St. Jago de Cuba, and was to have ended there; that Havana was the last clearing port, from whence the vessel sailed to Port Praya, for water; and from thence to Little Bassa, for slaves; and that all her slaves were shipped there, for the real account, risk, and benefit of the late Master, who was likewise the Owner of the vessel."

The Boatswain's evidence of the illicit traffick was exactly similiar to that of the Master.

The Prize Master, in accounting for the 3 slaves short of the number captured, swore, on the following 22d, that 2 of them were missing on the morning of the 15th, who, he verily believed, had either jumped or fallen overboard on the night of the 14th, during a tornado, and that 1 man died on the night of the 21st.

The Court, having before them indubitable proof of the illicit employment of the "*Loreto*," alias "*Corunera*," in the slave-trade, passed sentence of condemnation upon her, on the 27th instant, as good and lawful prize to the Crowns of Great Britain and Spain, and as taken in such illicit trade by His Majesty's brig "*Plumper*," John Adams, Esq. Commander, and emancipated her surviving slaves, 183 in number.

Sierra Leone, May 29, 1830.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

No. 30.

His Majesty's Commissioners to J. Backhouse, Esq.—(Received Sept. 24.)

SIR.

Sierra Leone, July 5, 1830.

IN pursuance of the 75th clause of an Act, passed in the 5th year of the reign of His present Majesty, intituled "An Act to amend and consolidate the Laws relating to the abolition of the Slave-trade," we beg leave to enclose, herewith, a return of all the cases of Spanish vessels adjudicated in the British and Spanish Court of Mixed Commission, established here, from the 1st of January last to the 1st instant.

We have, &c.

(Signed)

John Backhouse, Esq.
&c. &c. &c.

ALEX. FINDLAY.
WM. SMITH.

Enclosure in No. 30.

Return of Spanish Vessels Adjudicated by the British and Spanish Court of Mixed Commission established at Sierra Leone, between the 1st of January and the 1st of July, 1830.

NAME of VESSEL.	Date of Seizure.	Where Captured.		Property Seized.	SEIZOR.	Date of Sentence.	Number of Slaves captured.	Number of Slaves before Adjudication.	Total emancipated.	Decree of Sentence, whether for forfeiture or Retention.	Whether Property condemned has been sold or converted, and whether any part remains unsold, and in what hands the proceeds remain.
		Latitude.	Longitude.								
Maria de la Concepcion	Mar. 24, 1830	In the Rio Pongos		{ Schooner and 79 slaves . . }	{ E. J. Parrey, Esq. H. M. S. Primrose . . }	May 11, 1830	79	"	79	Condemned for being engaged in the illicit traffic in slaves.	{ Schooner and stores sold by public auction, and the proceeds paid into the military chest.
Mauzanares	April 1, —	6° 17' N.	4° 13' E.	{ Brigantine and 354 slaves . . }	{ F. A. Collier, Esq. C. B. Tender (Black Joke) of H. M. S. Sybille . . }	May 11, —	354	5	349	Ditto Ditto	Ditto Ditto
Alinara	Mar. 17, —	4° 00' N.	5° 00' E.	{ Schooner and 249 slaves . . }	{ G. W. Matson, Esq. H. M. B. Clinker }	May 11, —	249	51	198	Ditto Ditto	Ditto Ditto
Loretto (al.) Co. runera	May 12, —	5° 24' N.	10° 8' E.	{ Schooner and 186 slaves . . }	{ John Adams, Esq. H. M. B. Plumper }	May 27, —	186	3	183	Ditto Ditto	Ditto Ditto

N. B.—The proceeds of the sales of the brig "Ockario," and her stores, and the wreck of the brig "Cristina," reported in the last return as being in the hands of the Commissioners of Apprehension and Sale, have since been paid into the military chest.

(Signed) ALEX. FENDELAY.
WM. SMITH.

No. 31.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Nov. 14.)

MY LORD,

Sierra Leone, August 31, 1830.

WE have the honour to enclose, herewith, for your Lordship's information, our report of the case of the Spanish schooner "*Santiago*," alias "*Polasqui*," condemned this day, in the British and Spanish Court of Mixed Commission, for illicitly trafficking in slaves.

The "*Santiago*" was commanded by Francisco de Paula Golget, formerly an American subject, born in the Floridas, but now owing allegiance to the King of Spain; and was owned by Lorenzo Maso, of St. Jago de Cuba, who fitted her out at that port, for the alleged purpose of a commercial voyage to the Island of Princes, like the generality of Spanish vessels, which are engaged in the illicit traffick in slaves.

The "*Santiago*," having touched at the Danish Island of St. Thomas, proceeded direct from thence to the River Bonny, and shipped, in that river, 165 slaves. She was on her return voyage with them, when she was fallen in with, and detained, on the 3d instant, in latitude 3° 41' N., longitude 7° 32' E., by His Majesty's ship "*Atholl*," Alexander Gordon, Esq., Captain.

The circumstances attending the illicit traffick, in which the "*Santiago*" was engaged, call forth no particular remarks from us; to which we are desirous to call your Lordship's attention; but we think, that we should be compromising our duty, did we not point out to your Lordship, the removal, in this case, of a quantity of spirits, and some medicines, after capture, into the capturing ship.

Although the Prize-Officer, Mr. Henry Bernard, has, in an affidavit, accounted for the reason of their removal, still we think that such removal, together with the causes thereof, should be, by the Captor himself, notified to the Court, by certifying thereto, upon the survey of the stores of the vessel, that is now required to be held at the time of detention, rather than that such information should be obtained, in the first instance, from the witnesses produced in the cause.

We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
 &c. &c. &c.

Enclosure in No. 31.

*Report of the Case of the Spanish Schooner "Santiago," alias "Polasqui,"
 Francisco de Paula Golget, Master.*

THE Spanish schooner "*Santiago*," alias "*Polasqui*," commanded by Francisco de Paula Golget, cleared out from the port of St. Jago de Cuba, on the 16th of January last, for a commercial voyage to the Island of Princes.

The "*Santiago*" appears to have left St. Jago de Cuba about the end of January, and proceeded to the Danish Island of St. Thomas; from which port she took her ultimate departure for Princes Island, on the 18th of March; but went direct to the River Bonny. Having completed her lading of slaves in that river, she was on her return to St. Jago de Cuba, when, on the 2d day of her voyage, (the 3d of the present month), she was captured, by His Majesty's ship "*Atholl*," Alexander Gordon, Esq. Captain, in latitude 3° 41' N., longitude 7° 32' E., with a cargo of 165 slaves.

Captain Gordon immediately dispatched her to Sierra Leone, for adjudication, where she arrived, after a short passage, on the 23d instant, with 156 slaves on board. The Surgeon to the Court having, on the same day, inspected the slaves, reported that there were only a few cases of "*Craw*" and debility; yet, on account of the exposed state of the vessel, at this season of the year, he recommended their being landed as early as convenient. They were, accordingly, disembarked, 155 in number, on the 25th instant, and delivered into the charge of the Liberated African Department, (that being as early a day as the preparations to receive them would admit). On that day, also, an affidavit of the Prize-Master was filed, accounting for the deaths of 10 of them; 9 on the passage up, and 1 in this harbour, after arrival.

The ship's papers of the "*Santiago*," together with the Captor's declaration, were brought into Court, and filed, on the 24th, duly authenticated by the affidavit of the Prize-Master, Mr. Bernard,

K

Admiralty Mate of His Majesty's ship "Atholl." A monition was, at the same time, prayed for, and granted: it accordingly went forth that day, and was returned, certified by the Marshal to have been duly served, on the 31st instant.

On the 26th, the Master, Francisco de Paula Golget, and the Steward, Manoel Perez, were examined on the standing interrogatories.—The Master swore "that he was born in the Floridas; is a Spanish subject, was an American subject prior to his residence at Cuba; has resided at Cuba for the last 13 years. That he was appointed to the command of the vessel by Lorenzo Maso, a resident of St. Jago de Cuba, who is the owner of the vessel; that the present voyage began at St. Jago de Cuba, and was to have ended there; that Danish St. Thomas was the last clearing port; that the vessel proceeded direct from thence to the River Bonny, where she took on board the present cargo of 165 slaves; and that the said slaves were owned by, and consigned to, the aforesaid Lorenzo Maso."

He further swore, "that, at the time of capture, Mr. Bernard, the Prize-Master, sent out of the detained vessel, on board His Britannick Majesty's ship "Atholl," 3 casks, containing about 60 gallons of aquadente, and the medicine-chest, which latter was sent on board witness's vessel again, after the most valuable articles had been taken out."

The Steward, Manoel Perez, after corroborating the Master's testimony, as to the shipment of 165 slaves, in the River Bonny, also swore, "that, at the time of capture, the boarding Officer ordered 3 barrels, each containing about 23 or 24 gallons, of aquadente, and the medicine-chest, from the captured vessel, on board the man-of-war; that, in about an hour after this transaction, the medicine-chest was returned on board the schooner, and was, very soon after, found deficient of several articles, which he knew to have been in the said chest, previous to its having been sent on board the man-of-war."

In answer to the allegation of the removal of spirits and medicines, from the captured vessel to the capturing ship, Mr. Henry Bernard, on the 31st, swore, "that he was ordered, by Commodore Gordon, to send on board the capturing ship, all the spirits that were in the said schooner, to prevent intoxication and insubordination among the crew, which deponent complied with, and sent, as ordered, 3 casks of aquadente on board His Majesty's ship "Atholl;" and, he further swore, "that some medicines were taken from the medicine-chest, for the use of the crew of the said capturing ship, as also for the crew of the said schooner, who were then on board the "Atholl."

Clear and unequivocal testimony having thus been given, of the employment of the "Santiago," alias "Polasqui," in the illicit traffick in slaves, the Court, at its sitting on the 31st instant, pronounced sentence of condemnation upon her, as good and lawful prize to the Crowns of Great Britain and Spain, and as taken in such illicit traffick, by His Majesty's ship "Atholl," Alexander Gordon, Esq. Captain, and decreed the emancipation of her surviving slaves, 153 in number,—12 having died between the period of capture and that of adjudication; viz. 9 on the passage up, 1 in the harbour previous to, and 2 after their having been landed.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

Sierra Leone, August 31, 1830.

No. 32.

His Majesty's Commissioners to the Earl of Aberdeen — (Received Dec. 27.)

MY LORD,

Sierra Leone, October 18, 1830.

WE have the honour to enclose to your Lordship, with this despatch, our report upon the case of the Spanish schooner "*Atafa Primo*," Jozé Maury, Master, which vessel was detained, by His Majesty's ship "*Medina*," Edward Webb, Esq. Commander, on the 18th of August last, in latitude 3° 22' N., longitude 5° 16' E., and sent here for adjudication, under the Treaty between Great Britain and Spain, for the suppression of the illicit traffick in slaves.

Captain Webb declared, that he detained the "*Atafa Primo*," for having on board 6 native Africans, detained in irons, as slaves, and, according to the depositions of the said Africans, they were stolen off Grand Bassa, about 10 days previous to capture; and this was corroborated by Mr. Pearne, the Prize Master of the "*Atafa Primo*," who, in his report to the Court, on arrival in this harbour, on the 4th ultimo, stated "that he had 6 kroomen on board, who were ironed at the time of capture."

The evidence adduced before the Court, however, clearly proved, that the said natives of Africa, by their own admission, were not in irons at the time of capture; that they were not slaves, but went on board the "*Atafa Primo*" at Grand Bassa, voluntarily, in their own canoe, to obtain employment; that the reason of their not returning on shore, was in consequence of that canoe getting accidentally adrift, and stormy weather preventing the lad left in charge of the canoe, from regaining the said schooner, which vessel was, from the latter cause, at the time the Africans boarded her, obliged to stand off the land to prevent shipwreck.

Much matter was introduced into the evidence, to prove, that it was the intention of the Master of the "*Atafa Primo*," to convert those Africans into slaves; and that, from the fitting and equipment of his vessel, such must be inferred to have been his ultimate object, as he had carried them far down the coast, from their own country, without attempting to land them, and had had them, as they stated, confined in irons. The Court was, however, of opinion, that that position was not borne out by the evidence, there being strong circumstances to believe, that the Claimant had offered to land them; which offer they refused, because war existed between them and the people who inhabited the spot, where they were offered to be landed; and their assertion, that they had been confined in irons was most dubious.

The intention only, of parties under the Spanish flag, to carry on the illicit traffick in slaves, the Court held, did not bring their vessel under the operation of the Treaty for its repression, as the fitting and equipment of a vessel would, alone, prove that intention; which, as the Treaty now exists, would not be sufficient grounds to condemn such vessel. The fact of having on board a slave, or slaves, acquired by the illicit traffick, or having had such on board, brought there for the express purpose of the traffick, simply, authorized the Court to condemn the vessel and cargo, and emancipate such slaves as might have been found on board. In the case of the "*Atafa Primo*" not the slightest proof of the illicit traffick in slaves was brought forward; the Court, therefore, on the 6th instant, decreed the "*Atafa Primo*" to be restored to the Claimant, together with costs of suit, and such special damages and expenses, as he had incurred by the detention of his vessel; and referred the same to the Registrar, to ascertain the amount thereof, and report the same to the Court.

The Registrar having made his report, the Court, at its sitting, on the 16th instant, confirmed the same; (no objection thereto, either on the part of the Claimant, or on the part of the Captor, having been offered,) and thereupon decreed, that Edward Webb, Esq. the Captor in this case, should pay unto José Maury, the Claimant, or unto his lawful attorney or attorneys, for the use of the Owners and Proprietors of the said schooner "*Atafa Primo*," absolutely, and unconditionally, the sum of £134 15s., which the Registrar stated, he was of opinion the Claimant was entitled to, for the detention of his vessel. A copy of the Registrar's report, and a copy of the decree founded thereon, we beg to enclose.

In, respectfully referring your Lordship to our report of the case of the "*Atafa Primo*," (the evidence bearing thereon, and our reasons for coming to the conclusion we did, being therein fully set forth) we beg to draw your Lordship's attention to the fact, deposed by the Master, "that the "*Atafa Primo*" and cargo were insured for 24,000 dollars, by some persons residing at Kingston, Jamaica; which insurance had been effected through the agency of a M. Norris, of St. Jago de Cuba." We regret we were not able to elicit further information upon this point, so that we might have been able to acquaint your Lordship with the names of the parties, who are thus stated to have insured the "*Atafa Primo*." For although that vessel cleared out from St. Jago de Cuba, for legitimate trade, to Princes Island, which would, probably, afford a pretext to the parties in question, to defend their so doing; yet there cannot, in our humble opinion, exist the slightest moral doubt, that every Spanish vessel from Havana, or other ports of Cuba, bound to the Coast of Africa, is known to all parties engaged in her, to have in view a slaving voyage.

We are anxious to obtain your Lordship's instructions upon the following point:—had it been proved, that the Africans, who had voluntarily gone on board the "*Atafa Primo*," had been detained against their consent, would such detention (they not having been acquired by an illicit traffick in slaves, nor brought on board for the express purpose of the traffick) have been a sufficient justification to the Court, to have pronounced sentence of condemnation upon that vessel, under the Treaty?

The 1st Article of the Treaty states, that it shall not be lawful for any of the subjects of the Crown of Spain to purchase slaves, or to carry on the slave-trade, on any part of the Coast of Africa, upon any pretext, or in any manner

whatever; and the 9th and 10th Articles of the said Treaty, the 1st Article of the Instructions, and the 1st Article of the Regulations, attached thereto, appear to us, expressly, to limit their operation to vessels found carrying on an illicit traffick in slaves.

We entertain the opinion, and we state it with deference, that, under the Treaty, as it at present exists, the arbitrary detention of Africans, not acquired by an illicit commerce or traffick, would be an act of aggression against such detained parties; but we have strong doubts, whether the Treaty is strictly applicable to cases of such nature.

We further beg, most respectfully, to draw your Lordship's attention to the fact, that Spanish vessels have been in the habit of robbing Brazilian vessels of slaves, a system which, we believe, Spanish vessels will still continue to carry on, where their force is sufficient to awe or overpower the weaker vessel. If, therefore, any Spanish vessel, having slaves on board, obtained by such means, were detained and sent here for adjudication, would the British and Spanish Court of Mixed Commission be authorized in entertaining the question? We beg to state our humble opinion, that the slaves that might, under those circumstances, be on board, would not have been acquired by an illicit traffick in slaves, but would have been acquired by an act of piracy: and, therefore, we think, the question would be for another Tribunal to decide.

It appears to us to be a matter of importance, to ascertain the view which His Majesty's Government may take of these two questions, and we, therefore, most humbly submit them, in order to obtain your Lordship's commands for our guidance, in the event of such cases coming before us for adjudication.

We have, &c.

(Signed)

ALEX. FINDLAY
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

First Enclosure in No. 32.

Report of the Case of the Spanish Schooner, "Atafa Primo," Jozé Maury, Master.

THE Spanish schooner, "*Atafa Primo*," Jozé Maury, Master, was furnished with a passport by the Authorities at St. Jago de Cuba, in May, 1830, authorizing a commercial voyage to the Island of Princes; and was fallen in with, and detained, on the 18th of August last, in latitude 3° 22' N., longitude 5° 16' E., by His Majesty's ship "*Medina*," Edward Webb, Esq., Commander.

The "*Atafa Primo*" arrived in this harbour, on the 4th of September, in charge of Mr. Peasne, Assistant Master of His Majesty's ship "*Medina*," who, on being visited by the Marshal to the Court, gave to that Officer a signed statement, in which he declared, "that there were 6 kroomen on board, who were ironed at the time of capture." On the 6th, the Captor's Proctor prayed, that the ship's papers might be filed in Court, and that the usual monition might go forth. The ship's papers were accordingly filed, together with the Captor's declaration, and the monition issued, on the same day; which latter was returned, on the 13th, certified to have been duly served.

The Captor, in his declaration, stated, "that he had detained the schooner, "*Atafa Primo*," sailing under Spanish colours, commanded by Don Maury, who declared her to be bound from St. Jago de Cuba to Princes, with a cargo of rum, tobacco, and powder, and having on board 6 native Africans, detained in irons as slaves, and, according to the depositions of the said Africans, they were stolen off Grand Bassa, about 10 days since."

In support of this declaration, the Master, Jozé Maury, and the Boatswain, Simon Triay, were examined on the standing interrogatories.

The Master deposed, "that the vessel was his own property; that he was also owner of part of the cargo on board, and that Jozé Carreros, Juan Forgos, and Ignacio Maso, all resident at St. Jago de Cuba, were the owners of the remaining part; that the said vessel and cargo were insured for 24,000 dollars, by some persons residing in Kingston, Jamaica, which insurance had been effected through the agency of a M. Norris, of St. Jago de Cuba. That the present voyage began, and was to have ended, at St. Jago de Cuba, which was the last clearing port the vessel sailed from previous to capture. That the first place the schooner touched at, was the Isles de Loss, where she obtained wood and water; but not being able to procure any provisions there, for which purpose those islands had been touched at, the witness went to the Rio Pongos; that he anchored outside of the bar of that river, and proceeded up in a boat; that after remaining there 2 days, witness returned to the Isles de Loss, to land the Pilot he had taken on board at those islands, to conduct him to Rio Pongos; and that from thence he proceeded down the coast; that the first place made, was Grand Bassa, which happened about the 7th of August; that he was seized for having 6 kroomen on

board, who had come on board at Grand Bassa, for the purpose of trading, but, in consequence of stress of weather, they were induced to remain, to assist in getting the schooner under weigh, to stand out to sea, in order to prevent her going ashore. That the storm continued for 3 days, when the land of Grand Sesters was made; that the kroomen refused to be landed there, as the people of that part of the coast were their enemies; that the kroomen were induced to agree with witness to remain on board during the voyage on the coast, as witness was averse to putting back to Grand Bassa, by which he would have lost time; that witness first saw capturing ship, in the latitude of Cape Formosa, about 6 o'clock, A. M.; that the schooner's course was continued, without any additional sail being made, until the capturing ship fired a gun towards witness's vessel; when he had the schooner put about, and stood up to the capturing ship; and that bulk had not been broken since the vessel's departure from Cuba."

Simon Triay deposed, "that he did not know for what reason the *"Atafa Primo"* was detained; that her course was not altered on the appearance of the capturing ship; and that bulk had not been broken since the vessel left St. Jago de Cuba."

On the 11th of September, 3 of the kroomen, named Bottle Beer, Bottle Beer, junior, and Ben Coffee, were examined on behalf of the Captors, on special interrogatories.

Bottle Beer deposed, "that he went on board the *"Atafa Primo,"* off Grand Bassa, for the purpose of obtaining employment, as is customary with the natives of that part of the coast, that 5 of his countrymen (who are now on board the *"Atafa Primo,"*) and 1 boy, went off in witness's canoe to the schooner. That the weather was calm at the time of their going off, but that the wind became fresh on their making the detained vessel; that the witness, on going on board, saw the Master and Mate, from whom he enquired whence the vessel had come, and was informed that the vessel was a Spanish schooner; that the Master of the vessel then gave witness a glass of rum; that the wind by that time blew heavily, and on witness turning round to look after his canoe, he found it had got adrift; and that, notwithstanding every exertion of the boy, who was left in the canoe, it drifted rapidly ashore. The Master of the schooner, made all sail he could to stand out to sea, although witness entreated him to put back, to let witness's canoe fetch the vessel again; that the said Master, in reply, said 'I have caught you,' and ordered witness, and his 5 companions, to be put in irons, which was accordingly done by placing leg-irons upon the whole of them; that the want of a conveyance on shore from the schooner, which was a long way out to sea, was the reason of witness and countrymen remaining on board; that witness did not say anything to the Master on being put in irons; that no land was made previous to capture; that 10 days elapsed from the period of leaving Grand Bassa and the time of capture; that witness and his countrymen were, during those 10 days, in irons, in the hold of the vessel, and were only allowed to come on deck, once in the morning, and once in the evening of each day, for the purpose of eating their meals; that when the man-of-war bore down upon the schooner, they were brought upon deck, and the irons removed from their legs, and thrown over-board; that witness told some of the crew of the man-of-war's boat, that the Master had stolen him and his companions, and requested they would tell their Officer of it; that when the said boat left the schooner, witness and his countrymen jumped overboard, and were picked up by the said boat, and carried on board His Majesty's ship *"Medina,"*

Bottle Beer, junior, and Ben Coffee deposed to similar facts; and further, "that the Master made them and their other countrymen dress in shirts and trousers, belonging to the sailors, and go forward during the visit of the man-of-war's boat;" but they both stated "that Bottle Beer, their headman, in contradiction to his own testimony, did object to be put in irons, and solicited to know what offence they had committed to be subjected to such treatment." Bottle Beer, junior, further swore, "that he did not state to the Boarding Officer, nor to any of the crew of the man-of-war's boat, the way he and his companions had been treated by the Master, being afraid of the Spaniards."

On the 13th of September, the Proctor for the Captor prayed, that special interrogatories might be put to the Master and the Boatswain; which having been granted, they were examined thereon on the same day.

The Master swore, "that he never gave orders for the 6 Africans being put in irons; that, at the time of the man-of-war's boarding, they were dressed in shirts and trousers, which had been distributed to them by his orders, as they appeared to be cold, from the rain being then heavy; that he, witness, explained to the Boarding Officer the circumstance of those Africans being on board; and those Africans also told the Officer, that they were not slaves; that the said Africans left his vessel, by jumping overboard, after the witness had received the instructions of the man-of-war to proceed on his voyage; and that the man-of-war then again lowered her boat, which picked up the said Africans, and took them on board; that there were 5 or 6 slave-coppers on board, and about 30 slave-irons, which latter, and a part of the former, he bought with the vessel; that the coppers were on board for cooking for the crew, and the irons in case of crew being disorderly; and that there were also 30 or 40 planks on board, for the purpose of repairing the vessel, when necessary, but not for forming a slave-deck."

The Boatswain, in answer to the same interrogatories, swore, "that none of the Africans were ever in irons, between the time of leaving Grand Bassa, and that of falling in with the capturing ship."

This closed the case on the part of the Captors; and, on the 14th of September, a claim was filed on behalf of the Master, "for the said schooner, her tackle, apparel, and furniture, and the goods, wares, and merchandize, on board the same, at the time of capture thereof by His Britannick Majesty's ship *"Medina,"* Edward Webb, Esq. Commander, as the sole property of José Maury, Master, as aforesaid, and as protected by the Treaty between Great Britain and Spain, dated the 23d of September 1817, and for all costs, charges, losses, damages, demurrage, and expenses as have arisen, or shall or may arise, by means of the said capture."

To this claim was annexed an affidavit of the Master, in which he stated, "that he verily believed that the said schooner was detained for having on board 6 kroo, or fish, men, natives of Africa; that the said persons had come on board the said schooner, of their own free will, with many others, at a place called Grand Bassa; that they remained on board until the weather proved too tempestuous for them to reach the shore in their own canoes; that, for the safety of the said schooner, this deponent was obliged to make sail; but, upon arrival off Grand Sesters, requested the said persons to go on shore; that they declined landing at Grand Sesters, assigning as a reason, that the country

to which they belonged, and the natives of the Grand Sesters, were at war with each other; that deponent finding it impossible to beat the said schooner from Grand Sesters to Grand Bassa, against the strong current and wind, which prevail in the months of July and August, determined to proceed on his voyage, and land the said persons at Princes Island, where they might obtain a passage to their own country; and was in the prosecution of the said intention, when he was seized and detained by His Britannick Majesty's ship "Medina," as appears by the log-book filed in Court."

The 3 Africans, formerly examined on behalf of the Captors, viz. Bottle Beer, Bottle Beer, junior, and Ben Coffee, were again examined, on the 17th of September, on special interrogatories, put by permission of the Court, on the part of the Claimant, as also Teah, another of their companions, on the 20th.

Ben Coffee, Bottle Beer, junior, and Teah swore, "that an attempt was made by Bottle Beer and Teah to recover their canoe, which accidentally got adrift, by calling out repeatedly to, and urging, the boy therein, to exert himself to regain the vessel; to which no opposition whatever was made by the Spaniards." They all, further, deposed, "that they themselves made no opposition to, nor observation on, their being put in irons; that they were fed on farinha and salt beef; that no additional sail was made upon the appearance of the "Medina;" and that, when they jumped overboard from the "Atafa Primo," the "Medina's" boat had rejoined that ship; that Teah, who was the first man that jumped overboard, retained possession of all their books (certificates of their character), which they had brought off from Grand Bassa; and that there is continual war between the natives of Grand Sesters and their country people." Bottle Beer, Bottle Beer, junior, and Teah, also swore, that no opposition was made by the Spaniards to their conversing with the crew of the man-of-war's boat, when they were on board the schooner, neither was any attempt made to prevent them jumping overboard." And they all (with the exception of Bottle Beer) deposed "that no fee or reward was promised to either of them, by any person, for giving evidence in this case;" whilst Bottle Beer distinctly swore, "that he had been promised, by Captain Webb, a good present, if he talked true, and was a good boy."

Special interrogatories were, likewise, allowed by the Court to be put, on behalf of the Claimant, to the Master, and the Boatswain, but nothing further was elicited from their replies, than what they had already deposed to.

The Proctor for the Claimant then prayed, on the 22d of September, to be allowed to file an affidavit of John Smith, Master Mariner; which being granted, the same was filed accordingly. John Smith deposed, "that he had made several voyages along the coast of Africa, from Cape Sierra Leone to the Gold Coast; that he is not in the habit of entering, in his log-book, the visits of the natives on board his vessel, whilst engaged in trade, or sailing along the coast; that he has been necessitated, in consequence of boisterous weather, to run past places on the coast, at which he intended to land kroomen, and land them at other places, which circumstance is by no means an uncommon occurrence with other Ship-masters."

The evidence, thus adduced, closed the case on behalf of the Captor and Claimant, and an early day having been prayed for hearing and deciding it, the 6th of October was appointed for that purpose; when the Court met, and, after hearing the Proctors on each side, pronounced the following judgment:—

"The case of the Spanish schooner "Atafa Primo," being one of a very novel character, has occupied the serious attention of this Court. The Court, however, consider it a case by no means of a difficult, or complicated description:—the simple fact to be considered is, whether she was, or was not, engaged in the illicit traffick in slaves, by actually having slaves on board, at the time of capture, or having had slaves on board, for that purpose; and the Court cannot but express its conviction, that the Proctors, for both Captor and Claimant, have totally lost sight of that simple fact, through the whole of the voluminous proceedings.

In Spanish cases, evidence of the intention of vessels, under the flag of that nation, to carry on the slave-trade, cannot be entertained by this Court as grounds of condemnation: and the ease of the "Atafa Primo" has been greatly clogged, in the attempt to prove such intention; indeed, instead of enlightening the Court, the mass of evidence adduced, the greater part of which is totally irrelevant to the question at issue, is greatly calculated, if it were entertained, to confuse the Court, in arriving at the real merits of the case. But the Court, rejecting the consideration of the evidence that is superfluous, will review the points upon which the case rests.

The Captor, in his declaration, states, "that he detained the "Atafa Primo," for having on board 6 native Africans, detained in irons as slaves;" and, according to the depositions of the said Africans, "they were stolen off Grand Bassa." In corroboration of this, the Prize Master, Mr. Pearne, on arrival in this harbour, signs a statement in writing, which he gives to the Marshal of the Court, "that he had 6 kroomen on board, who were ironed at the time of capture." How stands the fact, to bear out these assertions? The very men themselves, who are stated to be in irons, at the time of capture, swear directly the reverse;—they swear, "they were not in irons at the time of capture." It is perfectly clear, from the evidence filed, that the Officer, who first boarded the "Atafa Primo," from His Majesty's ship "Medina," neither saw, nor heard of, any thing whatever to criminate her, notwithstanding the kroomen swear, "that they told the man-of-war's men, that the Master had caught them;" and it looks exceedingly strange indeed, that these sailors do not appear to have made any communication of that intelligence to their Officer, who appears to have been on board the "Atafa Primo" some time, and had heard the Master's explanation of the reason of the kroomen being on board. That Officer had returned to His Majesty's ship, and the boat, in which he had boarded the "Atafa Primo," was in the very act of being hoisted in, when the kroomen jumped overboard; to which act, be it observed, not the slightest opposition was offered by the Spaniards; nor was any made to their conversing with the Officers and men belonging to His Majesty's ship, when they were on board the "Atafa Primo." A capture is not made, until possession be taken; and when possession of the "Atafa Primo" was taken, the kroomen were actually on board His Majesty's ship. There is, therefore, most unquestionable and indubitable proof, that the kroomen were not in irons at the time of capture, and that the detention of the "Atafa Primo" was determined upon, after they had been picked up by, and reached, His Majesty's ship. The Court enter into this, to shew that the very first position of the Captors is not a correct position.

The men swear they were in irons, which were knocked off when the capturing ship was first observed; but the Court must look at that evidence most cautiously, when 1 of the men, (Bottle Beer) acknowledges to have been promised a reward, "if he spoke true, and was a good boy;" and, although it may be said, that such promise, if true, was made to 1 man only, (the others swearing that none was made to either of them), it is well known to this Court, and to every one having a knowledge of the character of kroomen, that a promise of a reward made to a headman, as Bottle Beer appears to be, will influence those under his controul. And here it is worthy of remark, that although 2 of these men swear, that the headman (Bottle Beer) objected to their being put in irons, (although they themselves did not), and desired to know what offence they had committed, to be subjected to such treatment, Bottle Beer himself swears, he did not say any thing when they were put in irons; thus further rendering that part of their evidence most dubious and unsatisfactory of that fact, as it is difficult to conceive, that men in such circumstances, would not complain.

But the point to which the Court must draw its attention, is this—Has the "*Atafa Primo*" been engaged in the illicit traffick in slaves? and were the kroomen on board acquired by such illicit traffick, or brought there for the express purpose of that traffick? The admission of the men themselves, negatives this most positively;—they swear they all went on board voluntarily, and that, if their canoe had not got adrift, they might have returned on shore; no opposition was offered by the "*Atafa Primo*'s" crew to their having free egress to their canoe; none to their jumping overboard then, if they had pleased, to regain their canoe; neither was any opposition made against allowing these men to stimulate the lad, who had been left in charge thereof, to make every exertion to overtake the vessel, which he failed in, owing to the heavy winds then blowing, and the great way the schooner had upon her. Where, then, is the illicit traffick in slaves, in which the "*Atafa Primo*" is said to have been engaged? None. The Court cannot interpret the word traffick in any other than its legitimate and proper meaning, and that is, an exchange of one commodity for another.—Has an exchange of one commodity for another, (and slaves are a commodity within the meaning of the Treaty) in this case, taken place? Certainly not.—The evidence is most clear and unequivocal throughout, that no illicit traffick in slaves, in fact, that traffick of no kind whatever, had taken place up to the period of the "*Atafa Primo*'s" capture.

Presuming that these people were detained against their will, such detention would be an arbitrary act on the part of the Master, but the Court cannot construe that act into an illegal trafficking in slaves. It might have been humane, on the part of the Captor, to relieve them from such detention; but it certainly does not bring the vessel within the meaning of the Treaty.

The said Africans certainly were not treated as slaves usually are, by their own shewing. They were fed on farina and salt beef; they were allowed to retain their books (certificates of character); they were allowed freely to converse with the man-of-war's men, which alone, it must be presumed, some attempt would have been made to prevent, if they had really been treated as they aver, together with the Master not having made any attempt whatever to escape, which is corroborated by them, goes far, in the opinion of the Court, to negative their assertion "that they had been caught." And if the Master had wished to have "caught" them, would he not have caught all, and prevented the canoe and the young lad from returning on shore, to acquaint his countrymen with the fate of his friends?

The Master's and Boatswain's account of the accident, by which these men were obliged to remain on board the "*Atafa Primo*," is fully substantiated by the account the men also give of it. It was blowing very heavily from the south, (which off Grand Bassa is directly on shore) when they reached the schooner, and she was in the act of making sail, so Bottle Beer and Teah say, when they got on board; and the Court think, from that circumstance, it may be fairly assumed, that she had been at anchor, although that is denied by the kroomen, but which the ship's log fully confirms. The schooner was, therefore, obliged to stand off, and the canoe accidentally getting adrift, and not being able to overtake the vessel, was the sole cause, as they acknowledge, of their remaining on board; the Court see in this nothing but an accident that might have happened to any ship of any nation; an accident which John Smith, Master Mariner, says, is of frequent occurrence.

The log bears out the Master's assertion, that he stood in afterwards for the land; as, after getting off the land, by steering W. $\frac{1}{4}$ S. W. on the 7th of August, the course is altered, on the 8th of August, to S. E. $\frac{1}{4}$ S. and S. E., which certainly appears to be standing in for the land; and the log has, on the second day after leaving Grand Bassa, a remark, that a town was seen. Although it is not remarked that such standing in was to put the kroomen on shore, the Court think it likely it was for that purpose; and that the place made being Grand Sesters,—a place where they are continually at war with the Grand Bassa people—the kroomen on board preferred to remain where they were, than to be put on shore to be made prisoners of; for how could the Master and Boatswain know so well the fact, of the existence of continued warfare between the people of Grand Bassa and Grand Sesters, unless the kroomen had informed them thereof? and for what purpose could they communicate this intelligence, except not to be landed there? Had they been caught, and treated, and kept in irons below, as slaves, this information, it is to be presumed, would not have been sought for on the part of the Master, nor voluntarily given by the men.

In a former case of a Spanish vessel, condemned in this Court, which was not approved of, the Secretary of State observed to His Majesty's Commissioners, that "on no other grounds than on those stated in the Treaty, or subsequently agreed upon by the High Contracting Parties, could a sentence of condemnation be, with propriety, passed on a Spanish vessel. It was your particular duty, and I feel confident that you will never lose sight of it, to decide, conscientiously, according to the Treaty, and to rely on the wisdom of the legislature to provide a remedy for the inconveniencies that might result therefrom." His Majesty's Commissioners, in a letter to Lord Aberdeen, also expressed, that the consideration, that the sentence of the Court was without appeal; that there was no foreign Commissioner present; and that His Majesty's Commissioners were bound, under a solemn sanction, to frame that sentence, not on their own opinion of the equity or reason of the case, but on an international and formal compact, made them more than ordinarily anxious not to be led away, by a detestation of the traffick, into giving an undue latitude to the means used for suppressing it.

How, then, can this Court condemn the "*Atafa Primo*" for being engaged in an illicit traffick in

slaves, when no such traffick has been made, and the Africans themselves swear that they were not slaves?

It may, possibly, be said, if the "*Atafa Primo*" is allowed to quit this, that, from her fitting and equipment (having leg irons, coppers, and spare plank on board, as acknowledged by the Master) she will, probably, be employed in the slave-trade. It is possible that such may be, hereafter, the case; but the Court cannot look prospectively in these matters, it can only look retrospectively, and, as before said, not condemn for what may take place; it can only condemn for what has actually taken place. This Court is appointed to decide upon the legality of the detention of such slave-vessels, as the Cruizers of the British and Spanish nations shall detain, in pursuance of the Treaty, for carrying on an illicit commerce in slaves. And it is only in the event of those Cruizers finding slaves on board, acquired by an illicit traffick, or having been on board for that purpose, that the Commanders of such cruizers may detain them and bring them before this Court for adjudication. In this case there is a total failure of the proof required. The Court is, therefore, of opinion, that the capture of the "*Atafa Primo*," was premature and irregular, and ought not to have been made. The Court, therefore, decrees the restitution of the "*Atafa Primo*" to the Claimant, together with her tackle, apparel, and furniture, and the goods, wares, and merchandize, laden on board the same, at the time of capture thereof, by His Majesty's ship "*Medina*," Edward Webb, Esq. Commander. The Court further decrees, that the costs of suit, together with such special damages, only, as he can show his cargo has sustained since capture, shall be paid to the Claimant. The Court decrees, that the Claimant is not entitled to demurrage, the "*Atafa Primo*" being considerably under 100 tons burthen.

(Signed) ALEX. FINDLAY.
WM. SMITH.

Sierra Leone, October 18, 1830.

Second Enclosure in No. 32.

Mr. Lewis to His Majesty's Commissioners.

Spanish Schooner "Atafa Primo," Jozé Maury, Master.

To the trusty and well-beloved Alexander Findlay, Esq. His Britannick Majesty's Commissary Judge, *ad interim*, and William Smith, Esq. His Britannick Majesty's Commissioner of Arbitration; acting in the absence of Commissioners on the part of His Catholick Majesty the King of Spain.

WHEREAS by your decree of the 6th of October, 1830, you pronounced the said vessel and cargo, to have belonged, as claimed, and decreed the same to be restored to the Claimant, for the use of the Owners and Proprietors thereof, with such costs of suit and special damages only, as have arisen by the detention of the said vessel, by His Britannick Majesty's ship "*Medina*," and referred the consideration of such costs and damages to your Registrar, with directions, that he should report the amount thereof to you. Now I do most humbly report, that having received an account of the same, brought in on behalf of the Claimant, and having taken the same, together with what was urged by the agents of the parties on both sides, into consideration, I am of opinion, that the Claimant is entitled, under your said decree, to the several sums mentioned in the schedule hereunto annexed.

All which is humbly submitted by

(Signed) WALTER W. LEWIS, Registrar.

Sierra Leone October 11, 1830.

In the Case of the Spanish Schooner "Atafa Primo," Jozé Maury, Master.

Schedule of Costs and Damages.

£.	s.	d.		£.	s.	d.	£.	s.	d.
55	13	8	Claimed for cabin stores used on the passage to this port.—Allowed by consent of the parties				45	0	0
3	0	0	For sewing twine and fishing line, taken by the seamen of the " <i>Medina</i> ."—I have not allowed this charge, as the Master of the schooner, in his examination on the standing interrogatories, stated, that nothing was removed on board the " <i>Medina</i> ," at the time of detention.						

Special damage done to the Schooner.

5	0	0	For damage done to schooner's boat, loss of rudder and oars.						
3	0	0	Ditto, a cat-head, carried away.						
5	0	0	Ditto, damage done to schooner's gun-whale, and iron stanchions.						
			For the three preceding charges, allowed by agreement between the parties				9	0	0
75	0	0	Claimed for damage done to the schooner's rigging and sails, by being exposed to the weather 2 months.—I do not allow this, as demurrage, if it had been decreed by the Court, would have met this charge.						

£. s. d.		£. s. d.	£. s. d.
380 0 0	Claimed for 2 months wages of Officers and crew, 19 in number, at an average of £10. per head, per month.—I do not admit this charge, as it would have been met by an allowance for demurrage, had the Court decreed the same.		
50 0 0	Claimed for provisions for the crew to subsist upon until they arrive at, or about, the spot where the schooner was detained.—I allow 1s. 3d. per diem, for the maintenance of each of the crew, now 12 in number, and being part of her original crew, for 21 days; in which time it is calculated that the schooner can reach the latitude in which she was detained, and thus be placed, as near as possible, in her original condition	15 15 0	
100 0 0	Claimed for deterioration of cargo of said schooner, consisting of damage done to powder during the rainy season, leakage and soakage of spirits, &c. &c.—Allowed by agreement between the parties		17 10 0
50 0 0	Claimed for interest on capital employed—say £4,000. at 5 per cent. for 3 months.—I have not allowed this charge, as the 8th Article of the Regulations for the Mixed Commissions, annexed to the Treaty between His Britannick Majesty and His Catholick Majesty, signed at Madrid, September 23, 1817, only contemplates such charge on the amount of capital employed in the purchase and maintenance of a cargo of slaves.		
<i>Claimed for Expenses to be paid at Sierra Leone.</i>			
5 0 0	Anchorage and waterage fee.		
2 10 0	Harbour-Master's fee.		
	Allowed by consent of parties		7 10 0
5 0 0	For expenses of wooding.		
5 0 0	Ditto of watering.		
	Allowed by agreement between the parties		5 0 0
40 0 0	Claimed for costs of suit.—Agreed between the parties, that there be allowed		35 0 0
100 0 0	Claimed for freight of the cargo of the said vessel from the place of detention to this port.—I have not allowed this charge, as the vessel has now the same opportunity of earning, in full, her freight, as she had previous to detention		
		£15 15 0	15 15 0
£884 3 8			£134 15 0

Amounting to the sum of one hundred and thirty-four pounds fifteen shillings.

Sierra Leone, October 11, 1830.

(Signed) WALTER W. LEWIS, Registrar.

Third Enclosure in No. 32.

Decree of the Court.

British and Spanish Court of Mixed Commission, Sierra Leone.

Before Alexander Findlay, Esq. His Britannick Majesty's Commissary Judge, *ad interim*, and William Smith, Esq. His Britannick Majesty's Commissioner of Arbitration in the said Court, as associated with the Commissary Judge aforesaid; in the absence of either of the Commissioners on the part of His Catholick Majesty the King of Spain.

PRESENT—Walter William Lewis, Esq. Registrar.

Saturday the 16th day of October, in the year of our Lord, 1830.

Schooner "Atafa Primo," Jozé Maury, Master.

THE Court having heard the Registrar's report read, and having taken that report into consideration, confirm the same. The Court, therefore, doth award and decree, that Edward Webb, Esq. the Captor in this case, do pay unto Jozé Maury, the Claimant, or unto his lawful attorney or attorneys, for the use of the Owners and Proprietors of the said schooner "*Atafa Primo*," absolutely and unconditionally, the sum of £134 15s.; being for costs of suit, and such special damages and expenses as the Registrar has stated the Claimant is entitled to, for the detention of his vessel.

M

No. 33.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Dec. 27.)

MY LORD,

Sierra Leone, October 18, 1830.

WE have pleasure in acquainting your Lordship, that the notorious Spanish slave-ship "*Veloz Pasagera*," Jozé Antonio de la Vega, Master, having on board a cargo of 556 slaves, with which she was bound to the Havana, was, after a short, but severe action, captured, on the 7th ultimo, in latitude 5° 8' N., longitude 4° 17' E., by His Majesty's ship "*Primrose*," under the command of Captain William Broughton.

The "*Veloz Pasagera*" arrived here on the 8th instant, and was immediately proceeded against, in the British and Spanish Court of Mixed Commission, for a breach of the Treaty between Great Britain and Spain for the repression of illicit slave-trade.

The facts of such illicit trade, having been fully established, sentence of condemnation was pronounced upon the "*Veloz Pasagera*," as good and lawful prize, on the 16th instant, and the surviving slaves taken on board of her, in number 529, decreed to be emancipated.

Our report upon this case we have the honour to transmit, enclosed, for your Lordship's information.

We solicited the Prize Officer of the "*Veloz Pasagera*," Lieutenant Butterfield, to favour us with a short memorandum of the action, which took place between that ship and the "*Primrose*," in order to communicate the facts thereof to your Lordship. This, however, Lieutenant Butterfield felt delicate in complying with, in consequence of Captain Broughton having reported the action, minutely, to Captain Gordon (the Senior Naval Officer on this coast), for the information of the Lords of the Admiralty. To their Lordships, therefore, we beg to refer your Lordship, for the particulars of this unlawful and daring act, which, according to common report, has been attended with the loss of several lives on the British side, and of many on that of the Spanish, in addition to many on each side being wounded; among the latter, Captain Broughton seriously.

It appears that the Spaniards had the cruelty to station some of the unfortunate men slaves at their guns, to assist in working them, during the action; 5 having been found dead on the main deck of the "*Veloz Pasagera*," who had been killed, and 1 desperately wounded, by the broadsides of the "*Primrose*."

The "*Veloz Pasagera*," whilst on this coast, was boarded 7 times, at different dates, by His Majesty's squadron. The first time she was boarded by His Majesty's ship "*Sybille*," then in Accra Roads, Commodore Collier indorsed upon her papers, that he had warned her crew, not to attempt any resistance against a British vessel, however small the latter, and that, if they resisted, they should be treated as pirates.

The Master, Jozé Antonio de la Vega, having been seriously wounded in the action, was taken on board His Majesty's ship "*Primrose*;" and we learn, that many of the Spaniards were supplied with a boat and provisions, shortly after capture, and sent away to the nearest land they could make.

The Mate, and 22 of the men, came here, in confinement, on board the "*Veloz Pasagera*." They have been landed—have been examined before the Magistrates, and committed to gaol under a charge of murder; which, under the circumstances of the resistance they made, and the lives that were lost in consequence, appears to us, and to the Law-Officers here, a well founded charge.

It is the intention of Lieutenant-Governor Findlay to cause these men to be sent to England, to be dealt with as His Majesty's Government may direct.

We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 33.

Report of the Case of the Spanish Ship "Veloz Pasagera," Jozé Antonio de la Vega, Master.

THE Spanish ship "*Veloz Pasagera*," was furnished with the usual papers, by the Authorities at the Havana, dated the 21st of August, 1828, authorizing a commercial voyage to the Portuguese Islands, and the Coast of Africa, and stating her to be commanded by Jozé Antonio de la Vega, and to be armed with 24 guns.

"The "*Veloz Pasagera*" appears to have left the Havana on the 25th of August, and to have arrived on the Coast of Africa on the 7th of November, 1828. She anchored at Whydah on the 19th of the same month, and seems to have remained on the coast, sometimes at the Islands of Princes and St. Thomas, and at other times in the vicinity of Whydah, until the 4th of September, 1830. She was on her return to the Havana, when fallen in with, on the 7th of that month, in latitude $5^{\circ} 8' N.$, longitude $4^{\circ} 17' E.$, and detained by His Majesty's ship "*Primrose*," William Broughton, Esq. Commander, with 551 slaves on board (5 others having been found dead on board, after an action, which took place previous to her capture), said to have been shipped in the neighbourhood of Whydah, only 4 days previously.

The "*Veloz Pasagera*" arrived in this harbour on the 8th of October, with 534 slaves on board, having lost 16 by death, on the passage to this port. The slaves were immediately visited by the Surgeon to the Court, who reported, "that, from the circumstance of the necessarily confused state of the vessel, and that of there being 20 ulcer cases, 3 cases just recovering from the small-pox, 10 cases of bowel complaint, and several affected with "*Craw Craw*," amongst them, he recommended their being landed as soon as possible." They were accordingly landed, and delivered into the charge of the Liberated African Department, on the 9th of October.

On the 8th of October, also, a petition was received from the Captor's Proctor, praying that the papers of the "*Veloz Pasagera*" might be filed, and the usual monition go forth; which, having been granted, the ship's papers, and the Captor's declaration, were duly filed, and the monition issued, on that day; which latter was returned, on the 16th, certified to have been duly served.

On the 9th of October, another petition was received from the Captor's Proctor, praying that further papers, found on board the "*Veloz Pasagera*," since capture, might be brought into Court, and filed; the prayer of which petition having been granted, on the same day, the papers were accordingly filed, duly attested by the affidavit of Lieutenant Butterfield, the Prize Master.

On the 11th of October, Alexandro Nocetty, the Mate, and, on the 13th, Juan Bermudez, the Gunner of the "*Veloz Pasagera*," were examined on the standing interrogatories; a certificate from the Surgeon of His Majesty's ship "*Primrose*" having been filed, to account for the absence of the Master, who had been seriously wounded, and, from the want of medical assistance on board the "*Veloz Pasagera*," was not able to proceed to this port.

Both the Mate and Gunner swore, "that the Master's name is Jozé de la Vega; that he resides at Cadiz; that he was the Owner of the vessel; that the present voyage began at the Havana; that the cargo shipped there consisted of aguadente, and 60,000 dollars; that the Havana was the last clearing port; that the vessel has touched at many of the ports on the leeward coast; that resistance was made at the time of capture; that the present cargo of slaves were all purchased from Chacha (de Souza), and shipped from Jackin, a place near Whydah; that the said cargo of slaves were to have been landed at the Havana, where the voyage was to have ended; and that bulk was first broken, and the outward cargo landed, at Whydah." The Mate further swore, "that the cargo of slaves belonged to certain Spaniards, resident at the Havana, but whose names he could not remember."

Clear proof of the illicit employment of the "*Veloz Pasagera*" in the slave-trade, having been thus established, the Court, on the 16th of October, 1830, pronounced sentence of condemnation upon her, as good and lawful prize to the Crowns of Great Britain and Spain, and as taken in such illicit traffick, by His Majesty's ship "*Primrose*," William Broughton, Esq. Commander, and decreed the emancipation of her surviving slaves, 529 in number,—21 having died since capture, viz. 16 on the passage to this port, and 5 between the period of arrival and that of condemnation. And the Court further decreed the emancipation of 1 slave, if surviving, stated to have been taken out of the "*Veloz Pasagera*," on board His Majesty's ship "*Primrose*," to receive medical assistance.

(Signed) ALEX. FINDLAY.
WM. SMITH.

Sierra Leone, October 18, 1830.

P. S. Since the date of this report, His Majesty's ship "*Primrose*" arrived here, and delivered the above-mentioned slave over to the Liberated African Department, making the total number emancipated 530.

(Signed) A. F.
W. S.

No. 34.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Dec. 27.)

MY LORD,

Sierra Leone, October 30, 1830.

The Spanish schooner "*Nueva Isabelita*," alias "*Numero Uno*," having on board 141 slaves, who had been shipped at Little and Grand Bassa, and with whom she was on her return to the Island of Cuba, was captured by His Majesty's ship "*Atholl*," Captain Alexander Gordon, on the 17th instant, in latitude $6^{\circ} 00' N.$, longitude $14^{\circ} 40' W.$

The "*Nueva Isabelita*" arrived here on the 26th following, and was immediately proceeded against, in the British and Spanish Court of Mixed Commission; and the proofs adduced, of her being employed in the illicit traffick in slaves, being perfectly clear and well established, the Court, on the 29th instant, pronounced sentence of condemnation upon the "*Nueva Isabelita*," alias "*Numero Uno*," as good and lawful prize, to the Crowns of Great Britain and Spain; and, at the same time, emancipated 139 slaves, being the number of survivors taken on board of her,—2 having died previous to adjudication.

Our report of this case, we beg leave most respectfully to enclose, for your Lordship's information.

The Master and Cook of the "*Nueva Isabelita*" having deposed, that half a cask of rum, and the medicine chest, were taken out of that vessel by the Captor; Captain Gordon addressed a letter to us, explanatory of the circumstances, under which he was induced to remove those articles, as well as his reasons for having removed similar articles out of the Spanish schooner "*Santiago*," alias "*Polasqui*," reported to your Lordship in our despatch of the 31st of August last.

Copy of Captain Gordon's letter, we have the honour to transmit herewith. We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

First Enclosure in No. 34.

Report of the Case of the Spanish Schooner "Nueva Isabelita," alias "Número Uno," Don Filomeno Xiro, Master.

THE Spanish schooner "*Nueva Isabelita*," alias "*Numero Uno*," Don Filomeno Xiro, Master, was furnished with a provincial passport, by the Authorities of the Island of Cuba, dated the 28th of May, 1830, authorising a commercial voyage to Princes Island. She cleared out, from St. Jago de Cuba, also, on the 28th of May, and was captured, on her return voyage, on the 17th of October following, in latitude 6° 00' N., longitude 14° 40' W., by His Majesty's ship "*Atholl*," Captain Alexander Gordon, with 141 slaves on board, said to have been shipped at Little Bassa, on the 10th of that month.

The "*Nueva Isabelita*" arrived in this harbour, on the 20th of October, with 140 slaves on board, 1 having died on the passage up. The slaves were immediately visited by the Surgeon to the Court, who reported, that, although they were particularly healthy, yet, on account of the smallness of the vessel, and the extraordinarily heavy rains at this season of the year, he recommended their being landed as soon as convenient. They were, therefore, disembarked, and delivered over to the Liberated African Department, on the 23d of October.

On the 21st, the ship's papers, and the Captor's declaration, were brought into Court and filed, duly attested by the affidavit of the Prize Officer, Mr. Starner. The usual monition, having likewise been prayed for, on the same day, was accordingly issued, and returned, certified to have been duly served, on the 28th.

On the 22d, the Master, Filomeno Xiro, and, on the 25th, the Cook, Manuel Purliro, were examined on the standing interrogatories. Both swore, "that Don José Borrás, a resident of St. Jago de Cuba, was the Owner of the vessel, and of the cargo of slaves; that the present voyage began at St. Jago de Cuba, and was to have ended there; that Brava, Cape de Verdes, was the last clearing port the "*Nueva Isabelita*" touched at, previous to capture; that she had proceeded to that island to obtain fresh provisions, water, and wood; that the present cargo consists of slaves, who were all shipped from Little and Grand Bassa; that the outward cargo consisted of dry goods, muskets, powder, tobacco, &c., which was shipped off St. Jago de Cuba; that that cargo was received from an English sloop, belonging to Kingston, Jamaica; and that half a cask of rum, and the medicine chest, were taken out of the captured vessel at the time of detention."

The fact, that this vessel was engaged in the illicit traffick in slaves, having been thus fully proved, the Court met, on the 29th of October, for her adjudication, and passed sentence of condemnation upon the "*Nueva Isabelita*," alias "*Numero Uno*," as good and lawful prize to the Crowns of Great Britain and Spain, and as taken in such illicit traffick by His Majesty's ship "*Atholl*," Captain Alexander Gordon, and decreed the emancipation of her surviving slaves, 139 in number,—2 having died since capture, viz. 1 coming up, and 1 in harbour.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

Sierra Leone October 30, 1830.

Second Enclosure to No. 34.

Captain Gordon to His Majesty's Commissioners.

GENTLEMEN,

Sierra Leone, October 30, 1830.

IN consequence of the Master of the "*Nueva Isabelita*" having deposed, that a part of a cask of rum, and a chest of medicines, were taken out of the said schooner, by my orders, I have to explain to the Court, that, on taking possession of a slave-vessel, I have, for the safety of the vessel, ordered any spirituous liquors (which are generally of the ardent kind, called *agua ardente*), to be removed or thrown overboard, and that the same reason induced me to remove the medicine chest, which might contain deleterious drugs, so as to prevent any improper use being made of them.

I beg further to acquaint you, that the same articles were removed by me from the Spanish schooner "*Santiago*," alias "*Polasqui*," for the same reasons as above stated, and under similar circumstances.

(Signed)

ALEX. GORDON, Captain.

To the Judges of the British and Spanish Court of Mixed Commission.

No. 35.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Dec. 27)

MY LORD,

Sierra Leone, October 30, 1830.

WE have the honour to report to your Lordship the arrival, in this harbour, on the 24th instant, of the Spanish brigantine "*Pajarito*," of the Havana, commanded by Fortunato Romero, having on board a cargo of slaves, with which she was bound to the Havana, from the River Old Calabar, when fallen in with, and detained, on the 24th ult. (in latitude $4^{\circ} 22'$ N., longitude $8^{\circ} 20'$ E.) by Lieutenant Frederick Servante, in command of the "*Puss*," a tender belonging to His Majesty's ship "*Medina*."

The "*Puss*" (formerly the Spanish schooner "*Maria de la Concepcion*,") is the tender attached to His Majesty's ship "*Medina*," which we reported to your Lordship in our despatch of the 16th of September last, that is not duly furnished with the signed instructions, by the Lords of the Admiralty, to make captures under the slave-trade restriction Treaties.

The "*Puss*," we understand, was dispatched from His Majesty's ship "*Medina*," lying at the time at Princes Island; the latter intending to follow her tender shortly afterwards. They, however, did not join after the capture of, and previous to Lieutenant Servante sending the "*Pajarito*" here, by whom the declaration was made.

The capture of the "*Pajarito*" was made near the mouth of the Old Calabar river, about 150 miles distant from West Bay, Princes Island; and, as the "*Puss*" was for 2 or 3 days, after the capture, endeavouring to fall in with His Majesty's ship, without success, it is clear that she was, at the time she made the capture of the "*Pajarito*," acting apart and distinct from the ship to which she is attached. We, therefore, conceived, under the instructions conveyed to us, respecting tenders, that the capture of the "*Pajarito*" was irregular, and that, if brought into the British and Spanish Court of Mixed Commission, it would be the duty of the Court to restore her, in consequence of such irregularity.

Captain Gordon, of His Majesty's ship "*Atholl*," the senior Naval Officer on this station, having arrived here the same day as the "*Pajarito*," we communicated to him the substance of your Lordship's instructions to us, upon the subject of tenders, as His Majesty's squadron has not yet received instructions upon that point, from the Lords of the Admiralty.

On learning our view of the case, Captain Gordon, and the Proctor of the Captor, had some conversation with the Master of the "*Pajarito*," Fortunato Romero; and the result was, that he voluntarily offered to manumit the whole of the slaves he then had on board, in number 233,—293 having been originally shipped, and 60 having died coming up. This arrangement, having for its important object the liberating so many Africans from slavery, was accordingly carried into effect, by Fortunato Romero's own solemn act, on the

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27th instant, and they were, on the same day, delivered over,—free men,—to the Colonial Authorities. A notarial copy of the release and manumission of the said Africans we have the honour to transmit, herewith, for your Lordship's information.

The Africans in question have, for the present, been placed at Kissy, for the benefit of medical advice, at the Liberated African Hospital established there; many being in a very bad state of health. On their recovery, however, they will be placed in some of the villages, with allotments of land, as is usual with Africans liberated by the decrees of the Courts established here.

The "*Pajarito*" herself was delivered up to her Master, and quitted this for the Havana, this day.

We have, &c.
(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 35.

*Notarial Copy of the Release and Manumission of the Slaves of the
"Pajarito," by Fortunato Romero.*

I, JOHN SAMO, of Freetown, in the Colony of Sierra Leone, Notary Publick, duly admitted and sworn, and of practice, in the said colony, do hereby certify and attest, unto all whom it may concern, that the deed of release, hereunto annexed, was duly signed and sealed, by Fortunato Romero, therein named, in my presence, and in the presence of Robert Dougan, and Stephen Gabbidon. And I further certify, that the said deed of release was read by me, and explained, to the said Fortunato Romero, through the interpretation of William Rawlins, who was duly sworn faithfully to interpret in the English and Spanish languages.

Dated at Freetown, in the Colony of Sierra Leone,
the 27th day of October 1830.

(L. S.) JOHN SAMO, Not. Pub.

KNOW all Men by these presents, that I, Fortunato Romero, Master of the Spanish brigantine or vessel, called "*Pajarito*," of the burden of 103 tons, or thereabouts, and sole Owner of the cargo laden on board the same, to wit, 293 slaves, natives of Africa, have remised, released, and for ever discharged, and by these presents do, for me, my heirs, executors, and administrators, remise, release, and for ever discharge, Edward Webb, Esq. Commander, and the Officers and crew of His Britannick Majesty's ship-of-war "*Medina*," their respective heirs, executors, and administrators, of and from all, and all manner of action and actions, cause and causes of actions, suits, dues, sum and sums of money, controversies, damages, judgments, executions, claims and demands whatsoever, in law and equity, which, against the said Edward Webb, and the Officers and crew of His Britannick Majesty's said ship "*Medina*," I ever had, now have, or which I, my heirs, executors, or administrators, hereafter can, shall, or may have, for, upon, or by reason of the seizure and detention of the cargo of the said brigantine, consisting of 293 slaves, detained, as aforesaid, on the 24th day of September, in the year of our Lord, 1830, by His Britannick Majesty's said ship, or by reason of any matter, cause, or thing whatsoever, from the beginning of the world to the day of the date of these presents. And I, the said Fortunato Romero, do hereby, for myself, my heirs, executors, and administrators, renounce and give up all right, title, interest, property and demand, whatsoever and howsoever, in the said 293 slaves, as aforesaid; and that I, the said Fortunato Romero, do, by these presents, solemnly and voluntarily manumit, and set free, the said 293 slaves, or those that are now surviving; and the said 293 slaves, or the survivors, are hereby manumitted and set free, for ever. And I do further declare, that I, the said Fortunato Romero, have, in myself, lawful and absolute power and authority to grant, deliver, and execute these presents; and the same will warrant and for ever defend against all and every person or persons whomsoever.

In witness whereof, I have hereunto set my hand and seal, at Freetown, in the Colony of Sierra Leone, the 27th day of October, in the year of our Lord, 1830.

(Signed) FORTUNATO ROMERO, (L. S.)

Signed, sealed, and delivered, in the presence of
(Signed) ROBERT DOUGAN.
STEPHEN GABBIDON.

I, JOHN SAMO, of Freetown, in the Colony of Sierra Leone, Notary Publick, duly admitted and sworn, and of practice in the said colony, do hereby certify and attest, unto all whom it may concern, that the foregoing are true copies of a certain deed of release, executed before me, on the 27th day of October last, and of a certain certificate thereunto annexed.

Dated at Freetown, in the Colony of Sierra Leone,
the 2d of November 1830.

(Signed) JOHN SAMO, Not. Pub.

SIERRA LEONE, (Brazil.)

No. 36.

*His Majesty's Commissioners to The Earl of Aberdeen.—
(Received January 27, 1830.)*

MY LORD,

Sierra Leone, October 10, 1829.

WE have the honour to forward, herewith, for your Lordship's information, the report of the case of the Brazilian schooner "*Santo Jago*," Jozé Antonio de Souza Paladins, Master.

The "*Santo Jago*" left Bahia, in the end of December 1828, and was captured, on the 7th of August last, in 2° 29' 6" N. latitude, 6° 25' 2" E. longitude, by His Majesty's ship "*Medina*," Captain Webb, with 209 slaves on board.

The evidence adduced clearly proving these slaves to have been illicitly shipped at Ajuda (Whydah) in the Bight of Benin, sentence of condemnation was passed upon her, and her surviving slaves were decreed to be emancipated, by the British and Brazilian Court of Mixed Commission, on the 30th ultimo.

We have, &c.

(Signed)

H. J. RICKETTS.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
 &c. &c. &c.

Enclosure in No. 36.

Report of the Case of the Brazilian Schooner "Santo Jago," Jozé Antonio de Souza Paladins, Master.

THE Brazilian schooner "*Santo Jago*," commanded by Jozé Antonio de Souza Paladins, left Bahia, in the end of December 1828, furnished with an Imperial Passport, numbered 54, and dated the 23d of the same month, purporting her to be owned by Antonio Pereira Franco, and authorizing a voyage to Cabinda, by way of Princes' and St. Thomas' Islands, for a cargo of slaves, whose numbers were not to exceed 275; and she was captured, on the 7th of August last, in latitude 2° 29' 6" N., longitude 6° 25' 2" E., by His Majesty's ship "*Medina*," Edward Webb, Esq. Commander, with 209 slaves on board, said to have been shipped at Ajuda, on the 10th of July preceding.

The "*Santo Jago*" arrived in this harbour on the 21st of September. On the 22d, the Surgeon made his report on the state of the slaves, in which he set forth, "that they were in a state of extreme debility, from bad food and a tedious passage; that 1 was affected with the small-pox; and that about 30 were labouring under a severe bowel complaint, and the dangerous accompanying evil of worms, and that "*Craw Craw*" prevailed; taking all which into consideration, and the state of the Kissey Hospital, &c. at present, he recommended that the small-pox case should be immediately sent to Kissey, to be lodged with the other cases of that disease, now under treatment there; and that all the other people on board the "*Santo Jago*" be landed, and lodged in the Liberated African Yard, as soon as the same can be evacuated for their reception."

On the same day the ship's papers were brought into Court, and filed, duly authenticated by the affidavit of Mr. John Tall, Gunner on board His Majesty's ship "*Medina*," and Prize Master of the "*Santo Jago*." A monition was, at the same time, prayed for, and granted, which accordingly went forth, and was returned, certified to have been duly served, on the 29th.

On the 23d, a petition was presented to the Court, by the Captor's Proctor, to allow the whole of the slaves to be landed, which was granted, and they were, on the following day, disembarked, and delivered over to the Liberated African Department.

The witnesses examined in this case, on the standing interrogatories, were the Master, Jozé Antonio de Souza Paladins, on the 23d, and the Mate, Pedro de Souza, on the 24th. The Master swore "that himself and Antonio Pereira Franco, were the sole owners of the vessel; that the said Franco, who resided at Bahia, agreed to his being appointed to the command of the "*Santo Jago*;" that he took possession of her at Bahia; that she sailed under Brazilian colours; and was detained, on the 7th of August, in latitude 2° 12' N., longitude 6° 23' E., for having slaves on board; that the present voyage began at Bahia, and was to have ended there; that Ajuda (Whydah) was the last, and only place, the "*Santo Jago*" touched at during the present voyage; that the whole of the slaves were taken on board there; that himself, and his partner, Antonio Pereira Franco, were the consignees of the slaves on board; and that the said slaves were to have been delivered at Bahia, for the sole account, risk, and benefit of himself and aforesaid partner. The other witness, Pedro Antonio de Souza, who swore that he was a son of the Master, corroborated his father's evidence.

The fact of her having taken her slaves on board to the northward of the Equator, having been thus clearly established, the Court, at its sitting on the 30th ult., pronounced sentence of condemnation upon the schooner "*Santo Jago*," as good and lawful prize to the Governments of Great Britain and Brazil, and as taken in the illicit traffick in slaves, by His Majesty's ship "*Medina*," Edward Webb, Esq. Commander, and decreed the emancipation of her surviving slaves, 148 in number,—65 having died previous to adjudication; viz. 58 on her passage up, and 7 after being landed,—209 having been captured, and 4 subsequently born on board.

Sierra Leone, October 10, 1829.

(Signed) H. J. RICKETTS.
WM. SMITH.

No. 37.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, February 28, 1830.

WITH reference to my previous despatches to you, on the subject of the termination of the legal African slave-trade of Brazil, under the Convention of the 20th of November 1826, between Great Britain and that Country, I herewith transmit to you, for your information, a copy of a despatch,* and of its enclosure, from His Majesty's Chargé d'Affaires at Rio de Janeiro, containing the official notification, by the Brazilian Government, of the time appointed, according to the above mentioned Convention, for the final departure from Africa of Brazilian slave-ships, returning to Brazil from their slave-trading voyages.

I am, &c.

(Signed) ABERDEEN.

His Majesty's Commissioners.

* November 28, 1829.—(Sec Class B.)

No. 38.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received March 7.)

MY LORD,

Sierra Leone, January 5, 1830.

HEREWITH we have the honour to forward to your Lordship an abstract of the proceedings of the British and Brazilian Court of Mixed Commission, established in this colony, during the year 1829.

10 vessels were adjudicated in that Court, which were all cases of condemnation, and 2,408 slaves emancipated.

We have, &c.

(Signed)

A. F. EVANS.
WM. SMITH.

The Right Hon The Earl of Aberdeen, K.T.

&c.

&c.

&c.

Enclosure in No. 38.

Abstract of Proceedings under the British and Brazilian Mixed Commission at Sierra Leone, from the 1st of January 1829, to the 1st of January 1830.

No. 1. THE Brazilian schooner "*Triumpho*" was furnished with an irregular imperial passport from Bahia, authorizing a slaving voyage to Cabinda, with permission to touch at any of the ports on the Western Coast of Africa; and she was captured, in latitude $3^{\circ} 12' N.$, longitude $5^{\circ} 54' E.$, on the 23d of November 1828, by His Majesty's ship "*Medina*," Captain Suckling, with 127 slaves on board, who were sworn, by the Master and Mate, to have been shipped at Molembo. This was, however, fully disproved by the evidence of 3 other witnesses, who swore, that the slaves were embarked in the River Benin. The Court, therefore, on the 17th of January 1829, condemned the "*Triumpho*," and emancipated 122 slaves, the survivors of those captured.

No. 2. The Brazilian schooner "*Bella Eliza*," Gaspar dos Reis do Fonceca, Master, was captured, on the 7th of January 1829, in latitude $3^{\circ} 13' N.$, longitude $4^{\circ} 42' E.$, by His Majesty's ship "*Medina*," William Benjamin Suckling, Esq., Commander, with 232 slaves on board; all of whom were proved to have been shipped at Lagos. Sentence of condemnation was, accordingly, on the 27th of February, passed upon the "*Bella Eliza*," and the emancipation of 215 slaves decreed;—17 having died between the period of capture and adjudication.

No. 3. The Brazilian schooner "*Uniao*" André Joaquim Ferreira, Master, and Jozé Marques Ribeiro, Owner, was furnished with an imperial passport from Bahia, dated the 12th December, 1828, for a slaving voyage to Cabinda, authorizing her to take on board any number of slaves, not exceeding 370. She was, however, captured, on the 6th of February following, in latitude $2^{\circ} 48' N.$, longitude $5^{\circ} 12' E.$, by His Majesty's ship "*Sybilie*," Commodore Collier, with no less than 405 slaves on board; who were proved to have been shipped at Lagos, on the 2d of the same month. She was, accordingly, condemned, and her surviving slaves emancipated, to the number of 366, on the 20th of March, 1829;—39 having died since capture.

No. 4. The Brazilian brig "*Andorinha*" was furnished with an irregular imperial passport, purporting her to be owned by Jozé Joaquim de Oliveira, of Bahia, commanded by Jozé Antonio de Socorro, and authorizing a voyage to Cabinda for slaves, with liberty to touch at the Gold Coast, and at the Islands of St. Thomas and Princes. She was captured, at anchor in Lagos Roads, on the 19th of February last, by His Majesty's ship "*Sybilie*," Commodore Collier, C. B. without any slaves on board, but with a great part of her cargo landed.

A claim was made in this case for the vessel and cargo; but no satisfactory reason having been assigned for her touching, and remaining, and delivering the greatest part of her outward cargo, at that notorious slave mart Lagos, deep in the Bight of Benin, the Court, on the 11th of April, 1829, condemned the "*Andorinha*" and cargo, as good and lawful prize.

No. 5. The Brazilian schooner "*Donna Barbara*," Thomas Luiz, Master, and Wenceslao Miguel de Almeida, Owner, was furnished with an imperial slave-passport from Bahia, and was captured, on the 15th of March, 1829, with 357 slaves on board, off Freetown, by the schooner "*Paul Pry*," tender to His Majesty's ship "*Sybilie*," under the command of Lieutenant Harvey; having been previously detained, in latitude $3^{\circ} 13' N.$, by the Prize-master of the Brazilian brig "*Andorinha*," and brought to Sierra Leone, where, on her arrival, she was taken possession of by Lieutenant Harvey. A claim was made for this vessel, and such slaves as were on board at the time of her capture by the "*Andorinha*," but the evidence having fully proved those slaves to have been shipped to the northward of the Line, the Court passed sentence of condemnation upon the "*Donna Barbara*," and decreed the emancipation of the surviving slaves, 351 in number, on the 13th of April, 1829;—6 having died since capture,

No. 6. The Brazilian brigantine "*Carolina*," furnished with a passport from Rio de Janeiro, for a commercial voyage to Onim (Lagos), was captured on the 6th of March, 1829, in latitude $5^{\circ} 11' N.$, longitude $4^{\circ} 30' E.$, by the "*Black Joke*," Lieutenant Downes, Commander, tender to His Majesty's ship "*Sybilie*," with 420 slaves on board, who were proved to have been shipped at Lagos, the day before capture. She was, therefore, on the 13th of April following, condemned, and the surviving 399 slaves emancipated;—21 having died since capture.

No. 7. The Brazilian schooner "*Mensageira*," Ignacio Alvez Martha, Master, and Jozé Fernandez de Oliveira Penna, Owner, was furnished with an irregular imperial passport, authorizing a slaving voyage to Cabinda, with liberty to touch at Princes Island. She was captured, on the 15th of February, by the "*Cornelia*," tender to His Majesty's ship "*Eden*," on the bar of the Bonny River, with 353 slaves on board. These slaves were proved to have been shipped in the River Bonny; the Court, therefore, on the 24th of June, 1829, passed sentence of condemnation upon the "*Mensageira*," and decreed the emancipation of her surviving slaves.

No. 8. The Brazilian schooner "*Ceres*," owned by Jozé Botelho de Sequeira Mattos Araujo, and Company, of Rio de Janeiro, and commanded by Joao Baptista Bregara, was furnished with an irregular imperial passport for a slaving voyage to Molembo; and was captured by His Majesty's brig "*Plumper*," Lieutenant Greer, Commander, on the 6th of August, 1829, in 1° 30' N. latitude, 9° 16' E. longitude, with 279 slaves on board; whom the evidence of the Master and Mate proved to have been shipped in the River Cameroons. Sentence of condemnation was, accordingly, on the 22d of September, 1829, passed upon the "*Ceres*," and the emancipation of the surviving slaves decreed, 128 in number;—151 of the unfortunate creatures having died since capture.

No. 9. The schooner "*Emilia*," sailing under Brazilian colours, and furnished with an imperial slave passport, purporting her to be owned by Miguel Luiz Vianna, and commanded by Pedro Jozé Netto, was captured by the "*Dallas*," tender to His Majesty's ship "*Sybilie*," on the 16th of August, 1829, off Cape Formosa, with a cargo of 486 slaves on board. The evidence proved these slaves to have been shipped in the River Lagos. The "*Emilia*" was, therefore, on the 22d of September, 1829, condemned, and her surviving slaves, 435 in number, emancipated;—53 having died, and 2 having been born since capture.

No. 10. The Brazilian schooner "*Santo Jago*," Jozé Antonio de Souza Paladins, Master, and part Owner, was furnished with an irregular passport from Bahia, for a slaving voyage to Cabinda, by way of Princes and St. Thomas; and was captured, on the 7th of August last, by His Majesty's ship "*Medina*," Edward Webb, Esq. Commander, in 2° 29' 6" N. latitude, 6° 25' 2" E. longitude, with 209 slaves on board. These slaves were proved to have been shipped at Whydah, for the real account, risk, and benefit of the Master and the other part Owner, Antonio Pereira Franco; sentence of condemnation was, therefore, passed upon the "*Santo Jago*," on the 30th of September, 1829; and her surviving slaves, to the number of 148, decreed to be emancipated;—65 having died since capture.

(Signed)

A. F. EVANS.
WM. SMITH.

Sierra Leone, January 1, 1830.

No. 39.

His Majesty's Commissioners to J. Backhouse, Esq.—(Received March 7.)

SIR,

Sierra Leone, January 5, 1830.

IN pursuance of the 75th clause of an Act, passed in the 5th year of the reign of His present Majesty, intituled "an Act to amend and consolidate the Laws relating to the abolition of the Slave-trade;" and in conformity to the Act, passed in the 7th and 8th years of His said Majesty's reign, intituled "an Act to carry into execution a Convention between His Majesty and the Emperor of Brazil, for the regulation and final abolition of the African Slave-trade;" we have the honour to enclose a return of all the cases of Brazilian vessels, adjudicated in the British and Brazilian Court of Mixed Commission, established here, from the 1st of July, 1829, to the 1st instant.

We have, &c.

(Signed)

A. F. EVANS.
WM. SMITH.*John Backhouse, Esq.*

&c. &c. &c.

Enclosure in No. 39.

Return of Brazilian Vessels adjudicated by the British and Brazilian Court of Mixed Commission, established at Sierra Leone, betwixt the 1st July 1829, and the 1st January 1830.

NAME of VESSEL	Date of Seizure.	Where Captured.		Property seized.	SEIZOR.	Date of Sentence.	Number of Slaves Captured.	Number of Slaves Adjudicated.	Total. K emancipated.	Decretal part of Sentence, whether Forfeiture or Restitution.	Whether Property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the Proceeds remain.
		Latitude.	Longitude.								
Ceres.....	Aug. 6, 1829	1° 30' N.	9° 16' E.	{ Schooner and 279 slaves ... }	{ J. M. Greer, Esq. H. B. M. B. Plumper... }	Sept. 22, 1829	279	151	128	Condemned for being engaged in the illicit traffic in slaves.	{ The schooner and stores sold by public auction, and the proceeds paid into the military chest.
Emelia.....	Aug. 21, —	1° 41' N.	7° 18' E.	{ Schooner and 486 slaves ... }	{ F. A. Collier, C. B., H. B. M. M. S. Sybille }	Sept. 22, —	486	53	435	Ditto Ditto	Ditto Ditto
Santa Jago	Aug. 7, —	2° 29' 6" N.	46° 25' 2" E.	{ Schooner and 209 slaves ... }	{ Edwd. Webb, Esq. H. B. M. S. Medina ... }	Sept. 30, —	209	65	148	Ditto Ditto	Ditto Ditto

N. B.—The proceeds of the sale of the schooner and stores of the "*Messagera*," reported in the last return, as being in the hands of the Commissioners of Appraisement and Sale, have since been paid into the military chest.

(Signed) A. F. EVANS.
WM. SMITH.

(Signed) THOS. COLE, Acting Registrar.

No. 40.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received April 16.)

MY LORD,

Sierra Leone, January 29, 1830.

WE beg leave to acknowledge the receipt of your Lordship's despatch, dated November 30th 1829, transmitting to us the copies of a correspondence, which had passed between your Lordship and the Chargé d'Affaires of the Emperor of Brazil, on the subject of the construction to be given to that stipulation of the Convention with Brazil, of the 20th of November 1826, which regulates the period for the abolition of the African slave-trade of Brazil, and transmitting also, the copy of a letter, which your Lordship had addressed, under date of the 18th November, to the Lords Commissioners of the Admiralty, conveying His Majesty's commands, that the Commanders of His Majesty's Cruisers shall be instructed, that Brazilian slave-ships, which shall have finally quitted the African Coast, on or before the 13th of March 1830, shall not be held to have incurred the liability of being treated as pirates, under the Convention with Brazil, in consequence of being found at sea after the said period, in the *bona fide* prosecution of that particular homeward voyage, which had commenced on or before the 13th of March 1830.

These, your Lordship's instructions, shall be the rule of our conduct in cases to which they may apply.

We have, &c.

(Signed)

AL. ML. FRASER.

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

No. 41.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received April 16.)

MY LORD,

Sierra Leone, January 29, 1830.

WE have the honour to acknowledge the receipt of your Lordship's despatch, dated the 7th of December 1829, communicating to us, for our information and guidance, the opinion of His Majesty's Advocate-General, upon an hypothetical case, which had been submitted to that Officer; that, after the period stipulated by Treaty, for the abolition of the Brazilian slave-trade, if any Brazilian subjects shall have recourse to bringing negroes from the Coast of Africa, on the plea of the blacks being colonists or servants, who have entered into contracts to serve their importers or agents, during a certain term of years, in consideration of certain money or goods, lent to them, with which they are to purchase their freedom, that act cannot be considered in any other point of view, than as an attempt to continue that trade under another name; and that such Brazilian subjects will be liable to be treated and dealt with, in the same manner, as if they had been more openly and directly engaged in the traffick for slaves.

Should the facts contemplated come under our view, we shall be governed in our conduct by the directions of your Lordship.

We have, &c.

(Signed)

AL. ML. FRASER.

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

No. 42.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received April 26.)

MY LORD,

Sierra Leone, February 8, 1830.

ENCLOSED, we have the honour to transmit, for the information of your Lordship, the report of the case of the Brazilian brig "*Emilia*," Joao da Costa Ribgiro, Master.

The "*Emilia*" was furnished with an irregular passport, from the Authorities at Pernambuco, authorizing a voyage to Molembo, for a cargo of slaves, with permission to touch, on her way to that port, at St. Thomas. She, however, went direct to the River Bonny, where her cargo, consisting of 157 slaves, was shipped; and she was captured, on her return voyage, on the 31st of October last, in 3° latitude, North of the Equator, and 7° 30' longitude, East of Greenwich, by His Majesty's brig "Clinker," commanded by Lieutenant George Matson.

The "*Emilia*" was full 2 months from the day of her capture, until her arrival in this port, owing to her very dull sailing; during which period she lost only 4 of her slaves, and 5 between the time of her arrival here, and condemnation.

The facts of the illicit traffick in slaves, having been unquestionably established, and the British and Brazilian Commissary Judges agreeing in opinion, sentence of condemnation was passed upon her, at a sitting of the Court, on the 14th of January; and her surviving slaves, to the number of 148, decreed to be emancipated.

We have, &c.

(Signed)

AL. ML. FRASER.

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 42.

Report of the Case of the Brazilian Brig "Emilia," "Joao da Costa Ribeiro, Master.

THE brig "*Emilia*," sailing under the Brazilian flag, commanded by Joao da Costa Ribeiro, and owned by Manoel Joaquim Ramos e Silva, was furnished with an irregular passport, from Pernambuco, dated the 12th of May, 1829, authorizing a voyage to Molembo, by way of St. Thomas, for a cargo of slaves; and was captured, on the 31st of October last, in 3° 04' N. latitude, 7° 30' E., longitude, by H. M. brig "Clinker, Lieutenant Matson Commander, with 157 slaves on board, said to have been shipped in the River Bonny a few days previously.

The "*Emilia*" arrived in this harbour on the 30th of December, having lost by death on her passage up, only 4 of her slaves. The Surgeon to the Court went on board of her the following morning, and reported "that, among the slaves, were 15 cases of ophthalmia, 2 very severe; that a great proportion were affected with "Craw-Craw;" and that a few laboured under extreme emaciation:" from all these circumstances he recommended that the sickly slaves, at least, should be immediately landed. 84 were, therefore, disembarked on the 1st of January, and delivered into the charge of the Liberated African Department.

The usual munition was prayed for, and went forth on the 31st of December, and was returned, certified to have been duly served, on the 7th of January following.

On the 1st of January the witnesses in this case were examined on the standing interrogatories. The Master, Joao da Costa Ribeiro swore, "that Manoel Joaquim Ramos e Silva was the Owner of the "*Emilia*," and appointed him Second Master of her at Pernambuco; that upon the death of the First Master, Antonio Freire de Oliveira, in the Bonny, he took the command of the vessel; that the present voyage began at Pernambuco, and was to have ended there; that the Bonny was the last place touched at previous to capture; and that all the slaves were taken on board there, for the real account, risk, and benefit of the aforesaid Owner, Manoel Joaquim Ramos e Silva, with the exception of 2, who were shipped for his own account."

Francisco Rodriguez, the Cook, corroborated the Master's testimony.

The Court met for the adjudication of the "*Emilia*," on the 14th of January 1830, and the fact of her employment in the illicit slave-trade, having been so clearly proved, condemned her as good and lawful prize to the Crowns of Great Britain and Brazil, and emancipated her surviving slaves, 148 in number,—9 having died since capture, viz. 4 on the passage to this port, and 5 between her arrival here and her condemnation.

(Signed)

AL. ML. FRASER.

WM. SMITH.

Sierra Leone, February 8, 1830.

No. 43.

His Majesty's Commissioners to the Earl of Aberdeen—(Received April 26.)

MY LORD,

Sierra Leone, February 20, 1830,

WE have the honour, with the present despatch, to transmit, for your Lordship's information, the report of the case of the Brazilian schooner "*Tentadora*," Ignacio Manoel de Oliveira, Master.

P

The "*Tentadora*" was owned by Joao da Costa, junior, of Bahia, and was furnished with a regular passport from the President of that Province (Viscount Camamú) dated the 5th of August, 1829, authorizing a voyage to Molembo for a cargo of slaves, whose number was not to exceed 360.

It appears that the "*Tentadora*" left Bahia on the 17th of August, and although professing to be bound direct to Molembo, as shewn by one log, (a false one) she actually went direct to Lagos, as shewn by the true log, where she arrived on the 14th of September, and she was captured, on the 1st of November, being the first day of her return voyage, in latitude 5° 26' N., longitude 4° 18' E., by the brig "*Dallas*," tender to His Majesty's ship "*Sybill*," under the command of Lieutenant Edward Lyne Harvey, having on board 432 slaves.

At a Court held on the 14th of January last, for the adjudication of this vessel, the Commissary Judges of the 2 nations unhesitatingly pronounced the "*Tentadora*" to be a legal capture, and condemned her as lawful prize to the Crowns of Great Britain and Brazil; and, at the same time, decreed the emancipation of 320 slaves, the survivors of her cargo of victims,—73 having died on her passage up, and 39 after her arrival in this port.

It is with regret we feel ourselves bound to report to your Lordship, that a number of articles were taken from this vessel, after capture and before adjudication. As the evidence given upon this point did not, in the least, affect the general question of the illicit traffick in slaves, we have not detailed it in our report; but have thought proper to forward an authenticated copy of the whole of the facts deposed to, as well as copy of the minute of Court, recorded upon the subject.

By this it will be perceived, that after capture, and while the "*Tentadora*" was lying in West Bay, Princes, an anchor was taken from her bows, and 2 brass stanchions, together with other things, by the capturing Officer; and that, after her arrival in this harbour, a number of articles were clandestinely removed out of her.

We presume that, if the "*Dallas*" had really been in want of the anchor and other articles, which were taken out of the "*Tentadora*," in West Bay, it was Lieutenant Harvey's duty to have certified the same, for the information of the Court; and that Mr. Seymour, the Prize Officer attached to the "*Dallas*," would have deposed to that fact in extenuation, had such been the case. No notice thereof, however, was taken by either Lieutenant Harvey, or by Mr. Seymour; and, therefore, the Court considered the facts too fully proved to admit of a doubt. It is true Mr. Seymour, in an affidavit he made, relative to the articles which had been clandestinely taken out of the "*Tentadora*," after her arrival here, a copy of which is attached to the other evidence, swore, that nothing was removed out of that vessel in this harbour, to the best of his knowledge and belief; but that affidavit, being qualified, in opposition to 2 that are unqualified, did not, in the opinion of the Court, disprove the alleged facts.

We have, &c.

(Signed)

AL. ML. FRASER.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

First Enclosure in No. 43.

Report of the Case of the Brazilian Schooner "Tentadora," Ignacio Manoel de Oliveira, Master.

THE Brazilian schooner "*Tentadora*" was furnished with an imperial passport, from the President of the Province of Bahia, dated the 5th of August, 1829, and numbered 35, purporting her to be owned by Joao da Costa, junior, commanded by Ignacio Manoel de Oliveira, and authorizing a voyage to Molembo for a cargo of slaves. She was captured on the 1st of November following, in latitude 5° 26' N., longitude 4° 18' E., by the "*Dallas*," Lieutenant Harvey commanding, tender to His Majesty's ship "*Sybill*," having on board 432 slaves, who were declared by the Master to have been shipped at Lagos on the 31st of October.

The "*Tentadora*" arrived here on the 14th of December, having lost 73 of her slaves, from severe

diseases, on the passage up. The Surgeon to the Court, on the following morning, visited her, and he recommended that the surviving slaves, from their very crowded state, and the prevalence of "Craw-Craw" and bowel complaint amongst them, should be landed as soon as possible: they were accordingly disembarked, and delivered into the charge of the Liberated African Department, on the 16th.

On the 15th the usual monition was prayed for, which being granted, went forth the same day; and was returned on the 22d, certified to have been duly served.

On the 17th the Master, Ignacio Manoel de Oliveira, and the Cook, Francisco Nogueira, were examined on the standing interrogatories. The Master deposed, "that Joao da Costa, junior, of Bahia, was the Owner of the vessel, and appointed him to the command of her, on the 1st of August last; that the present voyage began at Bahia, and was to have ended there; that Lagos was the only place touched at during this voyage, previous to capture; and that all the slaves were taken on board there, and shipped for the real account, risk, and benefit of the aforesaid Joao da Costa, junior."

The Cook corroborated the Master's evidence as to the slaves having been shipped at Lagos.

The case of illicit traffick having been thus clearly proved, against the "*Tentadora*," the Court, at its sitting on the 14th of January 1830, condemned the said vessel to the Crowns of Great Britain and Brazil, and emancipated her surviving slaves, to the number of 320,—112 having died between capture and adjudication, viz. 73 on the passage up, and 39 between the period of her arrival in this harbour, and her condemnation,
(Signed) AL. ML. FRASER.
WM. SMITH.

Sierra Leone, February 20, 1830.

Second Enclosure in No. 43.

Papers relative to the Articles removed from the "Tentadora," previous to her Adjudication.

THESE are to certify, that the paper writings, hereunto annexed, numbered from 1 to 6, are true and faithful copies of the minute recorded, and documents filed as evidence, in the registry of the British and Brazilian Court of Mixed Commission established at Sierra Leone, showing, that a number of articles had been taken out of the Brazilian schooner "*Tentadora*," whereof Ignacio Manoel de Oliveira was Master, between the period of her detention and adjudication.

In faith and testimony whereof I have hereunto set my hand, and affixed the seal of the said Commission, at Freetown, in the Colony of Sierra Leone, this 27th day of January, in the year of our Lord, 1830.
(Signed) THOS. COLE, Acting Registrar.

(No. 1.)—British and Brazilian Court of Mixed Commission, Sierra Leone.

Before Alexander MacLean Fraser, Esq. His Britannick Majesty's Commissary Judge, *ad interim*, and Jozé de Paiva, Esq. His Imperial Majesty's Commissary Judge in the said Court.

PRESENT,—Thomas Cole, Esq. Acting Registrar.

Thursday, the 14th day of January, in the year of our Lord, 1830.

His Imperial Majesty's Commissary Judge, called upon His Britannick Majesty's Acting Commissary Judge, to transmit to his Government copy of the evidence, showing that a number of articles had been taken out of the "*Tentadora*," between the period of her detention and adjudication, such acts on the part of the British Officers, being unauthorized by the Treaties between Great Britain and Brazil, and discreditable to the British Navy: and His Imperial Majesty's Commissary Judge intends to forward certified copies of the same to his Government.

(No. 2.)—British and Brazilian Court of Mixed Commission, Sierra Leone.

In the Case of the Schooner "*Tentadora*," Ignacio Miguel de Oliveira, Master.

Thursday, December 17, 1829.

Extract of the examination of the said Master, on the standing interrogatories, viz.:

To the 21st Interrogatory, saith,—That bulk was only broken at Lagos, where the whole of the outward cargo was landed, and bartered for the present cargo of slaves. About 12 days after capture, the "*Tentadora*" was carried to Princes Island, to obtain a supply of wood and water for the slaves, (on the passage to Sierra Leone) at which place a bower anchor was removed out of the vessel taken, to the capturing ship. No slaves have been disembarked, nor has any article of ship's stores, (except the before-mentioned anchor) which were on board at the time of capture, been removed out of the said vessel. The inventory of the stores found on board the "*Tentadora*," at the time she was seized, was only produced for witness's signature, the same day the anchor was removed, and he does not believe that it is included therein; in every other respect the said inventory contains a faithful account of the stores of the said schooner "*Tentadora*."

(Signed) IGNACIO MANOEL DE OLIVEIRA.

(No. 3.)—British and Brazilian Court of Mixed Commission, Sierra Leone.

In the Case of the Schooner "*Tentadora*" Ignacio Miguel de Oliveira, Master.

Wednesday December 30, 1829.

Joze Egidio, barber on board the said vessel, being produced, sworn, and examined on special interrogatories, put by order of the Court, deposeth and saith, as follows:

To the First, saith,—That, since the vessel arrived at Sierra Leone, a boat belonging to a schooner, now fitting out in the harbour for the leeward coast and Brazils, came alongside in the day time, with a white man, respectably dressed, who went forward, and, after having some conversation with one of the European sailors in charge of the prize, gave him a dollar, and returned to his vessel; about 8 o'clock that evening, the same boat came back to the "*Tentadora*," and made 2 other trips in the course of the night, each time taking off coils, and parts of coils, of rope, which were stowed in the hold; witness believes there were 7 altogether. They also carried off, in the same boat, half a barrel of pork, and 3 bags of farina; the Prize-Master was not on board when this circumstance took place; witness has seen the maroon women, who, under pretence of going on board to seek for washing, carry off saucepans, and other things belonging to the vessel, and no notice has been taken by any of the Prize-crew.

To the Second, saith,—That, shortly after the vessel was captured, she was carried to the Island of Princes, to get wood and water, and whilst lying there, a bower anchor, a pair of brass side stanchions, a full barrel of tar, 35 dishes used by the slaves, a tarpaulin, (about 2 $\frac{1}{2}$ fathoms in length) 4 Africans' baskets, a water jar, 1 silver spatula, and 2 ditto probes, were removed to the capturing vessel; he cannot tell by whose orders those articles were so removed, but he knows that an Officer belonging to the tender, and the Prize-Master of the "*Tentadora*," were both present at the time.

(Signed) JOSE ^{his} × EGIDIO.
Mark.

(Signed) WM. ^{his} × RAWLINS.
Mark.

This examination was taken, and the truth thereof sworn to, through the interpretation of William Rawlins, who was first duly sworn faithfully to interpret. Before me,

(Signed) THOS. COLE, Acting Registrar.

(No. 4).—British and Brazilian Court of Mixed Commission, Sierra Leone.

In the Case of the Schooner "*Tentadora*," Ignacio Miguel de Oliveira, Master.

Thursday, December 31, 1829.

Antonio Joaquim, Cook on board of the said vessel, being produced, sworn, and examined on special interrogatories, put by order of the Court, deposes and saith as follows:—

To the First, saith,—That he has always remained on board the vessel taken, from the time she was detained, until about 7 days back, when the ship's barber, the slave's cook, and himself, were sent to live on shore; that a few days after the slaves were landed, a boat came off to the vessel with a white man, who entered into conversation with some of the sailors in charge of the prize, and after giving one of them (named John,) a dollar, he returned to the boat, and went alongside the schooner, now fitting out for the Brazils. The same night, the before-mentioned boat, with the same crew as was in her in the day time, came back to the "*Tentadora*," and in 3 trips, which occupied about 1 hour, they carried off several coils of rope, a quantity of running rigging, 1 copper boiler, capable of containing 10 gallons, 1 bag of rice, and 1 bag of peas; the whole of the seamen in charge of the prize assisted in getting those articles out of the vessel's hold, and passed them over the bows into the boat. The Prize-master was on shore at this time, and the vessel was placed under the care of "John," one of the seamen. Witness saw 1 silver spatula, and 2 ditto probes, in the possession of 1 of the sailors, which, he has reason to believe, were brought on shore for the purpose of being sold.

To the Second, saith,—That, after the vessel was taken, she was carried to the Island of Princes, to get wood and water, and, that whilst lying there, 1 anchor, 1 barrel of tar, 2 copper boilers, 2 brass side-stanchions, 2 iron saucepans, 3 dozen dishes, (used by the slaves,) and 1 tarpaulin, were removed from the "*Tentadora*," to the tender; he does not know by whose orders they were so removed, but he saw the Officer of the tender and the Prize-master talking together at the time the men were passing them into the boat.

(Signed) ANTONIO ^{his} × JOAQUIM.
Mark.

(Signed) WM. ^{his} × RAWLINS.
Mark.

This examination was taken, and the truth thereof sworn to, through the interpretation of William Rawlins, who was first duly sworn faithfully to interpret. Before me,

(Signed) THOS. COLE, Acting Registrar.

(No. 5).—British and Brazilian Court of Mixed Commission, Sierra Leone.

In the Case of the Schooner "*Tentadora*," Ignacio Miguel de Oliveira, Master.

Saturday, January 9, 1830.

The Master of the said vessel, being produced, sworn, and examined on special interrogatories, put on behalf of the Captors, by permission of the Judges of the said Court, deposes and saith as follows, viz.:—

To the First, saith,—That there were 2 barrels, containing beef and pork, on board the vessel, at the time the command of her was taken by the Prize-master now in charge, the whole of which was used on the passage to this port.

To the Second, saith,—That he did occasionally make use of salt provisions, which were brought from the capturing vessel.

To the Third, saith,—That since the "*Tentadora*'s" arrival in this port, none of his crew ever made known to him that the vessel had been robbed.

To the 4th, saith,—That it has never come to his knowledge, since his arrival in this harbour, that the Prize-master, or any of his crew, have permitted any of the furniture, tackle, or apparel of the vessel to be removed therefrom.

(Signed) IGNACIO MANOEL DE OLIVEIRA.

(Signed) WM. ^{his} X RAWLINS.
Mark

This examination was taken, and the truth thereof sworn to, through the interpretation of William Rawlins, who was first duly sworn faithfully to interpret. Before me,

(Signed) THOS. COLE, Acting Registrar.

(No. 6.)—In the British and Brazilian Court of Mixed Commission, Sierra Leone.

In the Case of the Schooner "*Tentadora*," Ignacio Miguel de Oliveira, Master.

Appeared personally, George Alexander Seymour, Mate of His Majesty's ship-of-war "*Sy-bille*," Commodore Francis Augustus Collier, C. B., Commander; who, being duly sworn, depose and saith, that he is the Prize-officer of the said schooner, and has had charge of her from the date of her capture, on the 1st day of November, 1829, to the present time, and that the said schooner arrived in this harbour, on the 14th December last past; and this deponent further saith, that it has come to his knowledge, that certain persons, being part of the original crew of the said schooner, have deposed, for the information of the Court, that various articles, belonging to the said schooner, have been clandestinely removed therefrom; and deponent further saith, that no article whatever has been taken away, or removed, from the said schooner, during the time deponent has been on board, to his knowledge or belief, or with his consent or connivance.

(Signed) GEO. A. SEYMOUR.

On the 7th day of January, 1830, the said George Alexander Seymour, was duly sworn to the truth of this affidavit.

(Signed) THOS. COLE, Acting Registrar.

No. 44.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received May 17.)

MY LORD,

Sierra Leone, March 20, 1830.

WE beg to acknowledge the receipt of your Lordship's despatch addressed to His Majesty's Commissioners, dated the 2d December 1829.

It is to us a matter of great gratification, that the steps which were taken, upon the occasion of the demand of M. de Paiva, Brazilian Commissary Judge, that his protest against the proceedings of the British and Brazilian Court, previous to his forming one of its Members, should be entered on the journal of the Court, has met your Lordship's approbation.

We have, &c.

(Signed)

AL. ML. FRASER.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

No. 45.

W. Smith Esq. to the Earl of Aberdeen.—(Received June 3.)

MY LORD,

Sierra Leone, April 6, 1830.

I BEG leave to report to your Lordship, the arrival of a Brazilian brig, named the "*Nova Resolucao*," detained by His Majesty's ship "*Medina*," Captain Webb, off Cape St. Paul's, on the 1st February, having then on board 43 slaves.

The "*Nova Resolucao*" arrived here, on the 4th instant, with 42 of the slaves; 1 woman having died on the passage up to Sierra Leone.

These slaves have been landed, and placed in charge of the Liberated African Department.

The "*Nova Resolucao*" is the 8th slaver now lying here, to be adjudicated.

Q

I have, further, to report to your Lordship, that M. de Paiva, Brazilian Commissary Judge, has consented, that the Colonial Government should distribute the whole of the slaves, that were detained on board the 6 Brazilian vessels, that were here previous to the arrival of the "*Nova Resolucao*," and who had been landed and placed in charge of the Liberated African Department.

The number of slaves, so distributed in the different villages, amounts to about 1,200.

I have, &c.

(Signed)

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 46.

W. Smith, Esq. to the Earl of Aberdeen.—(Received June 15.)

MY LORD,

Sierra Leone, April 15, 1830.

I BEG leave most respectfully to acquaint your Lordship, that M. de Paiva, His Imperial Majesty's Commissary Judge, has consented to the distribution of the slaves, captured on board the Brazilian brig "*Nova Resolucao*;" and they have been, accordingly, sent to one of the villages in this colony.

There are no more slaves, at the present moment, in Freetown, in charge of the Liberated African Department.

I have, &c.

(Signed)

WM. SMITH.

The Right Hon. the Earl of Aberdeen K. T.

&c.

&c.

&c.

No. 47.

W. Smith, Esq. to the Earl of Aberdeen.—(Received June 15, 1830.)

MY LORD,

Sierra Leone, April 17, 1830.

THE carrying on of the slave-trade by Brazilian subjects, having now, under the Convention between Great Britain and Brazil, become piracy, every means that such subjects can invent to carry on that traffick, and to evade the penalty of the law now to be enforced, will, I have no doubt, be tried.

The hypothetical case, which your Lordship was pleased to communicate, for the information of His Majesty's Commissioners, under date of the 7th of December 1829, may probably, ere long, be, in fact, attempted.

Another suppositious case, and one which is of easy execution, suggests itself to me as being extremely probable, and which the Captains of His Majesty's squadron on this coast, think will shortly be carried into effect.

The Islands of Princes and St. Thomas, in the Bight of Biafra, and the Cape de Verd Islands, form the extreme points, within which the illicit traffick in slaves has been successfully carried on, to the northward of the Equator. It is, therefore, apprehended, that Brazilian vessels will, from this time, come to one or other of those islands, as may best suit that part of the Coast of Africa, intended to be the scene of their slave operations, and obtain, by purchase, from the Authorities of such islands, Portuguese papers; which papers, I am informed, can be readily procured for a few dollars. Under the flag of Portugal, thus surreptitiously procured, Brazilian subjects will, most likely, endeavour to avoid the penalty of piracy, and still continue to carry on the slave-trade, with the same success, (unfortunately for the cause of humanity) that has, heretofore, characterized the trade under the flag of their own nation.

I beg, however, to submit for your Lordship's consideration, whether such a perversion of the flag of Portugal can, under the existing compacts between

that Government and Great Britain, be allowed. In my opinion, and I offer it with great deference to your Lordship, it cannot be permitted, for the following reasons:—

The 4th Article of the Treaty between Great Britain and Portugal, signed at Vienna, the 22d day of January 1815, expressly stipulates, that Portugal, in carrying on the slave-trade, will not permit her flag to be used, except for the purpose of supplying the Transatlantic possessions belonging to the Crown of Portugal.

By the 3d and 4th sections of the 1st Article of the Additional Convention to the said Treaty, of the 22d of January 1815, signed at London the 28th of July, 1817, the High Contracting Parties declare, that they consider as illicit any traffick in slaves, carried on under the Portuguese flag, for the account of the subjects of any other Government; and by Portuguese vessels bound for any port not in the dominions of His Most Faithful Majesty. The Brazils, which were, at the time the Treaty was concluded, the Transatlantic possessions of the Crown of Portugal therein alluded to, having become an Independent State, and acknowledged as such by Portugal, I infer, that the trade in slaves, under the flag of the latter Power, can no longer be lawfully carried on:—in fact, strictly speaking, that, from the time Brazil was acknowledged as an Independent State, from that time Portugal, having no Transatlantic possessions of her own to supply with slaves, did, by the said Treaty, totally abolish the slave-trade.

If, however, any doubts should exist in your Lordship's mind, as to this being a correct reading of the Treaty, and that, therefore, the opinion I have formed is not well grounded; I think, that the 3d and 4th sections of the 1st Article to the Convention, will clearly operate to prevent the flag of Portugal from being used in the manner contemplated. For, if Portuguese subjects were really carrying on the slave-trade for their own account, under the Portuguese flag, and bound for Brazil, they would be bound for a port not in the dominions of His Most Faithful Majesty; and if they were carrying on that trade, under the same flag, for Brazilian subjects, such would be illicit, as it would be for the account of the subjects of another Government. In each case, therefore, the confiscation of vessels and cargoes, detained under those circumstances, must, in my opinion, follow.

With these views upon the subject—a subject that has claimed my serious reflection—I hold, that vessels, slaving under the Portuguese flag, will be liable, wherever met with, either north or south of the Equator, to be detained for a direct breach of the Treaty and Convention—a breach that will subject them to condemnation.

It is likely that great difficulty will be experienced, in establishing the proof of the nation to which the parties, carrying on the slave-trade under the Portuguese flag, belong. If they could be proved to be Brazilian subjects, notwithstanding they were under a different flag, the penalty of piracy would attach to them; but otherwise, they, in their own persons, may escape the punishment due to such lawless expeditions; although their vessels and cargoes may be confiscated.

The Government of Portugal, I presume, could not successfully maintain that her subjects were injured by such confiscation, and thereupon claim to be indemnified.

I have the honour to be, &c.

(Signed)

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 48.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received June 29.)

(Extract.)

Sierra Leone, May 4, 1830.

WE have pleasure in forwarding, herewith, for your Lordship's information, our report upon the case of the Brazilian brigantine "*Emilia*," of Bahia,

Manoel Simoes de Silva, Master; which vessel was detained, on the 9th of December 1829, by His Majesty's ship—"Atholl," Captain Alexander Gordon, in latitude 5° 40' N., longitude 3° 54' E., having on board 187 slaves, who had been shipped, the day before, at Whydah, and was condemned, by the British and Brazilian Commissary Judges, on the 1st instant.

The case of the "*Emilia*," presents no extraordinary features, to which it is necessary for us to call your Lordship's attention.

We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 48.

Report of the Case of the Brazilian Brigantine "Emilia," Manoel Simoes de Silva, Master.

THE Brazilian brigantine "*Emilia*," Manoel Simoes de Silva, Master, was furnished with an imperial passport, signed at Bahia, on the 28th of March 1829, purporting her to be owned by José Joaquim Machado, and authorizing a voyage, for a cargo of slaves, to the port of Molembo.

The said passport was irregular in itself; liberty being granted therein, by the Brazilian Government, for the "*Emilia*" to call at the Gold Coast, and at the Islands of St. Thomas and Princes, on her way to Molembo.

The "*Emilia*" was captured, on her return voyage, on the 9th of December 1829, by His Majesty's ship "Atholl," Captain Alexander Gordon, in latitude 5° 40' N., longitude 3° 54' E., with 187 slaves on board, said to have been shipped the previous day at Adjuda (Whydah).

The "*Emilia*" arrived in this harbour, on the 12th of January last, with 171 slaves on board, having lost 16 by death on her passage up; and she was, on the same day, visited by the Surgeon to the Court, who, in his report, stated, that between 20 and 30 were affected with bowel complaint; that a vast number were in a state of emaciation, without other apparent disease; and that almost all were labouring under "Craw Craw;" from all which circumstances he recommended their being speedily landed.

They were, accordingly, disembarked on the 15th, (the third day after her arrival,) and delivered into the charge of the Liberated African Department.

The usual monition, having been prayed for on the 13th, was granted, and went forth on the same day, and was returned on the 20th, certified to have been duly served.

On the 16th the Mate of the vessel, Manoel Joaquim Barcelar, and on the 21st the Master, Manoel Simoes de Silva, (whose illness had prevented his being the first witness,) were examined on the standing interrogatories.

The Master swore, "that Joao Joaquim Machado, of Bahia, was the Owner of the "*Emilia*," and appointed him to the command of her, at that place, about 11 weeks back; that the present voyage began at Bahia, and was to have ended there; that Adjuda was the last place touched at, during this voyage, previous to capture; that the "*Emilia*" had also touched at Elmina, Awey, and Quitta, for provisions and stock; that the whole of the slaves, 178 in number, exclusive of infants at the breast, were shipped at Adjuda, the day before capture, and were for the real account, risk, and benefit of the aforesaid Machado, with the exception of 23, who belonged to himself and the Mate."

The Mate, in his answers to the same interrogatories, gave a similar account of this unlawful transaction.

The proof of the illicit employment of the "*Emilia*" in the slave-trade, having been thus fully substantiated, the Court, at its sitting on the 1st of May 1830, condemned the said vessel as good and lawful prize to the Crowns of Great Britain and Brazil, and as taken in such illicit employment by His Majesty's ship "Atholl," Captain Alexander Gordon; and emancipated her surviving slaves, 128 in number,—59 having died between the period of their capture, and the 2d of April, that being the day of their location; viz. 19 previous to their having been landed, on the 15th of January, and 40 between that period, and the day upon which they were located.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

Sierra Leone, May 4, 1830.

No. 49.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received June 29.)

MY LORD,

Sierra Leone, May 5, 1830.

WE have the honour to enclose, herewith, for your Lordship's information, the report of the case of the Brazilian schooner "*Nao Lendia*," of Bahia, commanded by Pedro José Vraga, and owned by Joaquim José de Oliveira, of that city.

The "*Nao Lendia*," like the generality of vessels employed in the illicit traffick in slaves, instead of keeping to the southward of the Equator, and entering solely such ports where the slave-trade was then permitted, according to the express terms of her passport, steered, directly she left Bahia, for the Western Coast of Africa, north of the Equator, and went direct to Lagos, where, in about 10 weeks, she collected together her unhappy cargo of slaves; and she was on her return voyage to Bahia, with 184 of them on board, who had been shipped at Lagos on the 4th of December, when she was fallen in with and detained, on the 10th of the same month (6 days after she had quitted port) in latitude $2^{\circ} 41' 8''$ N., longitude $6^{\circ} 34' 8''$ E., by His Majesty's ship "*Medina*," Edward Webb, Esq., Commander.

The employment of the "*Nao Lendia*" in the illicit traffick in slaves having been unquestionably proved, and the British and Brazilian Commissary Judges agreeing in opinion that she was subject to confiscation, they did, at a Court held on the 1st instant, pronounce sentence of condemnation upon her, as good and lawful prize to the Crowns of Great Britain and Brazil, and emancipated 159 slaves, being the survivors of those taken on board of her.

We have, &c.

(Signed) ALEX. FINDLAY.
WM. SMITH.

The Right Hon. The Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 49.

Report of the Case of the Brazilian Schooner "Nao Lendia," Pedro Jozé Vraga, Master.

THE Brazilian schooner "*Nao Lendia*" was furnished with an imperial passport, from the Authorities of the Province of Bahia, dated on the 20th of August 1829, for a slaving voyage to the port of Cabinda, with the usual prohibitory clause, not to enter other ports than those where the slave-trade was then permitted.

The "*Nao Lendia*" was commanded by Pedro Jozé Vraga, and owned by Joaquim Jozé d'Oliveira, of Bahia; and was captured, in latitude $2^{\circ} 41' 8''$ N., longitude $6^{\circ} 34' 8''$ E., on the 10th of December last, by His Majesty's ship "*Medina*," Edward Webb, Esq., Commander, with 184 slaves on board, who had been embarked at Lagos, on the 4th of the same month.

The "*Nao Lendia*" arrived here on the 14th of January, with 172 of her slaves on board, 12 having died on the passage up.

The Surgeon to the Court, having proceeded on board of her, reported, that the slaves were unusually healthy, there being no disease amongst them but "Craw Craw."

On the 23d of January, however, a petition was received, praying, that the slaves might be landed, as disease was making its appearance, from the crowded state of the vessel.

This was granted, and they were disembarked the same day, and placed in the charge of the Colonial Government.

The usual monition was prayed for, and granted on the 16th: it accordingly went forth on that day, and was returned on the 23d, certified to have been duly served.

Owing to the absence of the Master, who was landed, at his own request, at Princes Island, as set forth in an affidavit of the Prize Master (Mr. Voules) filed in the case; the Mate, Francisco da Costa, and the Cook, Louis Oliveira, were the only witnesses examined on the standing interrogatories.

The Mate deposed "that the name of the Master of the vessel taken, is Pedro Jozé Vraga; that Joaquim Jozé d'Oliveira, of Bahia, was the Owner of the vessel; that he appointed the said Master to the command of the "*Nao Lendia*;" that the present voyage began, and was to have ended at Bahia; that Lagos was the last place the "*Nao Lendia*" touched at this voyage, previous to capture; that all the slaves were taken on board there; and that they were shipped for the real account, risk, and benefit of the aforesaid Owner of the vessel."

Louis Oliveira, the Cook, confirmed the Mate's evidence, of the illicit employment of the "*Nao Lendia*."

The Court met, for the adjudication of the "*Nao Lendia*," on the 1st of May 1830; and, it having been clearly proved, that she was engaged in the illicit slave-trade, passed sentence of condemnation upon her, as good and lawful prize to the Governments of Great Britain and Brazil, and as captured by His Majesty's ship "*Medina*," Edward Webb, Esq., Commander; and decreed the emancipation of her surviving slaves, 159 in number;—25 having died between the time of capture and the period of their location, on the 2d April last.

(Signed) ALEX. FINDLAY.
WM. SMITH.

Sierra Leone, May 5, 1830.

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No. 50.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received July 19.)

MY LORD,

Sierra Leone, May 15, 1830.

WE have the honour to forward to your Lordship, herewith, our report upon the circumstances which led to the condemnation of the schooner "*Nossa Senhora da Guia*," Jozé Fernandez Soares, Master, sailing under the Brazilian flag, and owned by Jozé Joaquim d'Oliveira, of Bahia.

The "*Nossa Senhora da Guia*" was furnished with a passport, from the President of the Province of Bahia, allowing her to proceed to Cabinda for a cargo of slaves, with liberty to call at Pernambuco. She, however, sailed direct from Bahia to Lagos, in the Bight of Benin, and shipped, at the latter place, 310 slaves, and she was captured, on the 7th of January, 1830, in latitude 6° 18' N., longitude 3° 30' E., with the whole of them on board, (they having been shipped only the day previous) by the brig "*Dallas*," (tender to His Majesty's ship "*Sybilie*,") under the command of Lieutenant Edward Lyne Harvey.

The "*Nossa Senhora da Guia*" unfortunately lost 58 of the slaves on the passage up, which is principally to be attributed to their having had the small-pox amongst them, many of whom were recovering from that disease on her arrival in the harbour of Sierra Leone, on the 19th of February; 14 also died afterwards.

The illicit traffick in slaves having been fully acknowledged, by the witnesses produced in this case, sentence of condemnation was passed upon her, and her surviving slaves, 238 in number, were decreed to be emancipated, on the 13th of May.

We again feel ourselves compelled to notice to your Lordship, that, at the time of the detention of "*Nossa Senhora da Guia*," a four-inch cable, 120 fathoms in length, and a new mainsail, were taken out of her, and carried on board the "*Dallas*." Both the witnesses in this case positively swore to the fact. No mention of this was made in the list of stores sent up with the Captor's declaration, nor was any explanation whatever offered to the Court; the Proctor for the Captor, at the hearing of the case, declaring his inability to afford any.

We have, &c.

(Signed)

ALEX. FINDLAW.
WM. SMITH.*The Right Hon. the Earl of Aberdeen, K. T.*

&c.

&c.

&c.

Enclosure in No. 50.

*Report of the Case of the Brazilian Schooner "Nossa Senhora da Guia,"
Jozé Fernandez Soares, Master.*

THE Brazilian schooner "*Nossa Senhora da Guia*," commanded by José Fernandez Soares, and owned by Jozé Joaquim d'Oliveira, of Bahia, cleared out from that port, on the 21st of August, 1829, furnished with an imperial passport, of that date, authorizing a slaving voyage to Cabinda, with liberty to call at Pernambuco. She was captured on the 7th of January, 1830, in or about latitude 6° 18' N., longitude 3° 30' E., by the brig "*Dallas*," Lieutenant Harvey, commanding; tender to His Majesty's ship "*Sybilie*," with 310 slaves on board, who were declared to have been shipped, the day before, at Lagos, to which port she had sailed direct from Bahia.

The "*Nossa Senhora da Guia*" arrived here on the afternoon of the 19th of February, with 262 slaves; having lost, on her passage, 58 of them; and was visited, the next morning, by the Surgeon to the Court, who reported, that her slaves were in a very unhealthy state; that there were several cases of dysentery and "Craw Craw;" that 3 were labouring under small-pox, and that many were recovering from that disease. He, therefore, recommended, that all should be landed as soon as possible, and that the small-pox cases should be sent to the Kissy Hospital. Their disembarkation was, therefore, ordered by the Court, on the 21st of March, and they were delivered over to the Colonial Government.

The ship's papers of the "*Nossa Senhora da Guia*" were filed in Court on the 28th of April, properly authenticated by the affidavit of the Prize-Master, Mr. Kirby. The usual monition was likewise issued on the same day, and returned, certified to have been duly served, on the 5th of May.

On the 29th of April, the examination of the Master, Jozé Fernandez Soares, and of a seaman, Francisco Perreira Vianna, was taken upon the standing interrogatories.

The Master deposed, "that Joaquim Jozé d'Oliveira, of Bahia, was the Owner of the "*Nossa Senhora da Guia*," that the said Oliveira appointed him to the command of her at that port; that the voyage commenced, and was to have ended there; that the vessel sailed direct from thence to Lagos, where the present cargo of slaves was shipped; that Manuel Joaquim de Almeida, the Agent at Lagos of Joaquim Jozé d'Oliveira, was the lader of the slaves; that 203 of them were the property of the aforesaid Owner of the vessel; and that the remainder belonged to different persons at Bahia, whose names he could not remember."

Francisco Perreira Vianna, the seaman, confirmed the foregoing evidence of the Master, excepting that he swore, that all the slaves were shipped for the real account, risk, and benefit of Joaquim Jozé d'Oliveira.

The joint testimony of these 2 witnesses, together with the point of capture being to the northward of the Equator, and close off Lagos, having thus clearly established the illicit employment of the "*Nossa Senhora da Guia*" in the slave-trade, the Court, on the 13th of May, 1830, passed sentence of condemnation upon her, as good and lawful prize to the Crowns of Great Britain and Brazil, and as taken in such illicit trade by the brig "*Dallas*," (tender to His Majesty's ship "*Sybil*,") Lieutenant Edward Lyne Harvey, commanding; and decreed the emancipation of her surviving slaves, 238 in number,—72 having died between the period of capture and the day of their location, on the 31st of March, viz. 58 coming up, and 14 after her arrival; and also declared 310 to have been on board at the time of the detention of the "*Nossa Senhora da Guia*."

(Signed)

ALEX. FINDLAY.
WM. SMITH.

Sierra Leone May 15, 1830.

No. 51.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received July 19.)

MY LORD;

Sierra Leone, May 15, 1830:

WE have the honour to acquaint your Lordship, that the Brazilian brigantine "*Primeira Rosalia*," Joao Sabino Master, was detained, on the 23d of January, 1830, by His Majesty's ship "*Sybil*," Commodore Collier, in latitude 3° 24' N., longitude 7° 0' E., having on board 282 slaves.

The "*Primeira Rosalia*" was owned by Manoel Francisco Moreira, of Bahia, and was furnished with a passport by the Visconde de Camamú, the President of the Province, dated the 21st of October 1829, for a legitimate voyage for slaves, to be shipped at the Port of Cabinda.

It appeared by the evidence of the Master and the Cook, that the "*Primeira Rosalia*" had really sailed from Bahia to Cabinda, and from Cabinda she went to Lagos, where the 282 slaves, found on board her, were shipped, 4 days previous to capture.

31 of these unfortunate creatures died from small-pox, on the passage up to this port, where the "*Primeira Rosalia*" arrived on the 26th of February; and although disease then appeared to be at a stand, 9 died between the period of her arrival, and the day of their being located, making a total of 40 deaths.

Sentence of condemnation was passed upon the "*Primeira Rosalia*," and her surviving slaves, 242 in number, were decreed to be emancipated, on the 13th of May.

We beg most respectfully to enclose, for your Lordship's information, a report, detailing the facts of the case.

We have, &c.
(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 51.

Report of the Case of the Brazilian Brigantine "Primeira Rosalia," Joao Sabino, Master.

THE Brazilian brigantine "*Primeira Rosalia*" Joao Sabino, Master, was captured on the 23d of January 1830, by His Majesty's ship "*Sybil*," Commodore Collier, in latitude 3° 24' N., longitude 7° 0' E., having on board 282 slaves, who had been embarked at Lagos, on the 19th of the same month.

The "*Primeira Rosalia*" was furnished with an imperial passport, from the President of the Province of Bahia, dated the 21st of October 1829, which declared her to be owned by Manoel Francisco Moreira, of that city, and authorized a voyage for slaves to Cabinda.

The "*Primeira Rosalia*" arrived here on the 26th of February 1830, with 251 slaves on board, 31 having died on the passage to Sierra Leone.

The Surgeon to the Court, on the following day, proceeded on board the "*Primeira Rosalia*," and reported, that there were a few cases of bowel complaint, "Craw Craw," and debility, arising from small-pox, which latter disorder seemed to be at a stand; from these circumstances, and the crowded state of the vessel, he recommended that the sick slaves, and such as had a delicate appearance, should be landed as soon as convenient. They were all, without any distinction, disembarked on the 1st of March, and delivered over to the Colonial Government.

On the 27th of April, the Captor's Proctor prayed, that the ship's papers of the "*Primeira Rosalia*" might be filed, and that the usual monition might go forth. This having been granted, the papers were, on the following day, brought into Court, duly authenticated by the affidavit of the Prize Officer, Mr. Felmar, when also the monition was issued; and it was returned on the 5th of May, certified to have been executed.

Joao Sabino, the Master, and Luiz de Paulla Silva, the Cook of this vessel, were examined on the standing interrogatories, on the 28th of April. The former deposed, "that Manoel Francisco Moreira, of Bahia, was the Owner of the vessel, and appointed him to the command of her; that the present voyage began at Bahia, and was to have ended there; that the vessel sailed from thence to Cabinda, where she anchored, and from Cabinda to Lagos; that 282 slaves were taken on board at the latter place; that Manoel Francisco Moreira had an interest in 119 of those slaves; and that the remainder belonged to himself, and some other persons, whose names he did not remember."

The Cook corroborated the Master's testimony, as to the vessel having taken the slaves on board at Lagos; and added, that the owners of them are, the Owner of the vessel, the Master, the Surgeon, the Boatswain, the Master's Servant, and himself.

The Court assembled for the adjudication of the "*Primeira Rosalia*," on the 13th of May 1830, and having before them such clear proof of her illicit engagement in the slave-trade, condemned her as good and lawful prize to Great Britain and Brazil, and as taken in the illicit traffick by His Majesty's ship "*Sybilie*," Commodore Collier; and emancipated her surviving slaves, to the number of 242,—40 having died between the time of their capture, and that of their location, on the 31st of March.

(Signed) ALEX. FINDLAY.
WM. SMITH.

Sierra Leone, May 15, 1830.

No. 52.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received July 19.)

MY LORD,

Sierra Leone, May 15, 1830.

WE have the honour, with the present despatch, to enclose, for your Lordship's information, our report of the circumstances attendant upon the capture and condemnation of the Brazilian schooner "*Umbelina*."

The "*Umbelina*" left Bahia the latter end of last November, and steered direct for Lagos, where she took on board 377 slaves, and quitted that place, on her return, on the 13th January last. She was detained, on the following 15th, by His Majesty's ship "*Sybilie*," Commodore Collier, in latitude 3° 48' N., longitude 4° 12' E., who immediately dispatched her to Sierra Leone, where she arrived on the 13th of March.

The "*Umbelina*" was both owned and commanded by Joao Curdoza dos Santos, of Bahia, who readily deposed to the truth, that the "*Umbelina*" was, at the time of detention, engaged in the illicit traffick in slaves.

Sentence of condemnation, was, therefore, pronounced upon the "*Umbelina*," as good and lawful prize, and the surviving slaves captured on board of her were decreed to be emancipated, at a Court held for that purpose on the 13th of May.

The number of slaves so emancipated, amounted only to 163,—214 having died from the day of the detention of the "*Umbelina*" to that of her adjudication, viz. 194 on the passage up here, and 20 after her arrival.

The unusually great and lamentable number of deaths, that occurred on board this vessel, induced us to request the Surgeon to the Court to explain, as far as his judgment would lead him to a conclusion, by the healths of the survivors, to what cause this was to be attributed. A copy of the reply he sent to us, we beg leave to transmit, herewith, for your Lordship's information upon the subject.

We have, &c.

(Signed)

ALEX. FINDLAY,
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

First Enclosure in No 52.

Report of the Case of the Brazilian Schooner "Umbelina," Joao Cardozo dos Santos, Master.

THE Brazilian schooner "*Umbelina*," whereof Joao Cardozo dos Santos was Owner and Master, was furnished, by the Authorities at Bahia, with an imperial passport, dated at that city on the 13th of November, 1829, and numbered 66, authorizing a slaving voyage to Cabinda. On the 15th of January 1830, she was fallen in with, and detained, by His Majesty's ship "*Sybilie*," Commodore Collier, in latitude 3° 48' N., longitude 4° 12' E., with 377 slaves on board, who had been shipped at Lagos 2 days previously, and she arrived in this harbour on the 13th of March, with 183 of them on board, having lost 194 of the unfortunate creatures on the passage.

On the 15th, the Surgeon to the Court visited the slaves of the "*Umbelina*," and reported, that, notwithstanding the immense mortality on board that vessel, sickness to considerable extent still continued amongst them,—there being about 30 cases of ophthalmia, 20 of bowel complaint, and a few of small pox. He, therefore, recommended that all should be landed, which was accordingly done on the following day, and they were given in charge to the Colonial Government.

The papers of the "*Umbelina*" were filed in Court on the 28th of April, duly authenticated by the affidavit of the Prize-Officer, Mr. Bamber; the monition was issued the same day, and it was returned, on the 5th of May, certified to have been served.

An affidavit of the Prize-Master was, on the 28th of April, filed, accounting for the immense number of deaths that had occurred on the passage up; he deposed, "that those deaths did not ensue through the neglect of himself, or any of his crew"; and produced, in corroboration of his affidavit, an account, from his log, of the dates and the numbers that had successively died, from the time of his departure from the "*Sybilie*," till his arrival here.

On the 30th of April, the Master, Joao Cardozo dos Santos, and the Cook, Antonio Jozé Lopez, were examined on the standing interrogatories.

The Master deposed "that he was the Owner of the vessel, and appointed himself to the command of her; that the voyage began at Bahia, and was to have ended there; that the "*Umbelina*" sailed direct from thence to Lagos; that all the slaves were taken on board there; and that they were shipped for his own real account, risk, and benefit."

The Cook fully corroborated the evidence of the Master.

The Court, therefore, on the 13th of May 1830, passed sentence of condemnation upon the Brazilian schooner "*Umbelina*," as good and lawful prize to Great Britain and Brazil, and as taken in the illicit traffick in slaves, by His Majesty's ship "*Sybilie*," Commodore Collier; and decreed the emancipation of her surviving 163 slaves; 214 having died between the period of their capture, and the day of their location, on the 31st of March, viz. 194 on the passage to this port, and 20 after her arrival.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

Sierra Leone, May 15, 1830.

Second Enclosure in No. 52.

Mr. Boyle to His Majesty's Commissioners.

GENTLEMEN,

Freetown, Sierra Leone, May 14, 1830.

I HAVE the honour to acknowledge the receipt of your letter of this date, requesting my professional opinion, as to the cause of the very great mortality that took place amongst the slaves of the Brazilian schooner "*Umbelina*," during her passage, after capture, to this port.

In reply to which I beg respectfully to submit, that it was not in my power to trace the immediate cause of such unparalleled sickness and death, as that which took place in this case; but, on reference to the generally extensive mortality, which occurs amongst the slaves of captured vessels, brought into this harbour for adjudication, I am confidently of opinion, that the evil chiefly depends on want of knowledge, on the part of the Prize Officers, as to the management of such people, as well as of the treatment of the diseases that ordinarily prevail amongst them.

I have, &c.

His Majesty's Commissioners.

(Signed)

J. BOYLE, Surgeon to the Courts.

No. 53.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received July 19.)

MY LORD,

Sierra Leone, May 15, 1830.

THE report of the case of the Brazilian brigantine "*Nova Resolucao*," which we now have the honour to enclose, will put your Lordship in possession of the facts which led to the capture of that vessel, in latitude 2° 25' N., longitude 1° 9' E., on the 2d of February last, by His Majesty's ship,

S

"Medina," Edward Webb, Esq. Commander; and to her condemnation, for illicitly trafficking in slaves, on the 13th of May.

The "*Nova Resolucao*" had on board, at the time of capture, 43 slaves, who had been shipped at a place called Awey, just below Cape St. Paul.

Only 1 of the slaves died on the passage up, and the 42 survivors were decreed to be emancipated on the day the vessel was condemned.

We again regret to acquaint your Lordship, that a number of articles were taken out of the "*Nova Resolucao*" at the time of capture.

The Master and Cook (the witnesses in the cause) both deposed to certain live stock, rope, muskets, and gunpowder, having been removed out of her into the "Medina;" and, although the First Lieutenant of the "Medina," Mr. Servante, has, in explanation, deposed, that the live stock was taken out for the support and use of that part of the crew of the "*Nova Resolucao*" taken on board His Majesty's ship, some of whom were sick; that the muskets and gunpowder were taken out for the preservation of the vessel, and have been restored since the "Medina" came into this port, from her cruise to leeward, yet offers none relative to the rope.

M. de Paiva, His Imperial Majesty's Commissary Judge, reflected upon such conduct, and announced his intention, in Court, to report it to his Government.

We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 53.

*Report of the Case of the Brazilian Brigantine "Nova Resolucao,"
Januario Jozé da Cruz, Master.*

THE Brazilian Brigantine "*Nova Resolucao*" was furnished with an imperial passport, dated at Bahia, the 13th of October 1829, numbered 47, authorizing a voyage for slaves to the ports of Cabinda, with liberty to call, on her way there, at the Guinea Coast, and at St. Thomas and Princes Islands. This passport declared her to be owned by Antonio Florindo da Silva Chaves, of Bahia, and commanded by Januario Jozé da Cruz, with the usual prohibitory clause inserted therein,—to enter solely such ports on the Coast of Africa, where the slave-trade then continued to be lawful for the subjects of the Empire of Brazil.

The "*Nova Resolucao*" was captured, with 43 slaves on board, in latitude 2° 25' 3" N., longitude 1° 9' 9" E., on the 2d of February, by His Majesty's ship "Medina," Captain Webb, and arrived in Sierra Leone Harbour on the 5th of April following, having lost but 1 of her slaves on the passage up.

The Surgeon, in his report, stated the slaves to be all in good health, excepting 1 man; yet he recommended that they should be landed, on account of the bad state of the vessel. They were, therefore, disembarked on the 8th of April, and delivered into the charge of the Liberated African Department.

The ship's papers were filed, in this case, on the 28th of April, duly authenticated by the affidavit of Mr. Pearne, the Prize Officer, and the usual monition prayed for and issued on that day, and returned on the 5th of May, certified as having been duly served.

The witnesses examined in this case, upon the standing interrogatories, were, the Master, Januario Jozé da Cruz, and the Cook, Joaquim.

The Master's evidence was taken on the 30th of April, and he swore "that Antonio Florindo da Silva Chaves was the Owner of the vessel, and appointed him to the command of her at Bahia; that the said Chaves is a resident at Bahia; that the voyage began at that port, and was to have ended there; that the vessel sailed from thence direct to Awey; that 43 slaves were shipped there; and that they were for the real account, risk, and benefit of the aforesaid Chaves, excepting 4,—2 of which belonged to himself, 1 to the Mate, and 1 to the Boatswain."

The Cook's evidence corroborated the Master's testimony, as to the illicit traffick in which the "*Nova Resolucao*" was engaged when captured.

The Court met on the 13th of May, 1830, to pass sentence upon the "*Nova Resolucao*;" and the British and Brazilian Commissary Judges fully agreeing in opinion, condemned her as good and lawful prize to the Crowns of Great Britain and Brazil, and as captured in the illicit slave-trade by His Majesty's ship "Medina," Edward Webb, Esq. Commander; and emancipated the surviving slaves, 42 in number,—1 having died between the period of capture and adjudication.

(Signed)

ALEX. FINDLAY.
WM. SMITH.

Sierra Leone, May 15, 1830.

No. 54.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received August 6.)

MY LORD,

Sierra Leone, May 27, 1830.

WE have the honour to acquaint your Lordship, that, on the 28th November last, the boats of His Majesty's ship "Eden," under the command of Lieutenant Mercer, detained, in the River Cameroons, the Brazilian brigantine "Ismenia," of Rio de Janeiro, owned by Manoel Jozé Ribeiro Guimaraens, of that city, and commanded by Joao Antonio da Silva.

The "Ismenia" arrived in this harbour on the 10th of January last, and was duly proceeded against, in the British and Brazilian Court of Mixed Commissions, for a breach of the Convention between Great Britain and Brazil, for the repression of the illicit traffick in slaves.

Lieutenant Mercer, the boarding Officer in this case, made the declaration. He therein states, "that on examining her hold, it appeared that her bulk was broken, and a great part of her cargo landed at the town of King Bell, in the Cameroons, who declared that he had received part of her cargo, for the purpose of trafficking, in the country, for slaves, and a number of irons for their confinement; likewise he had some slaves, previously purchased for the "Ismenia," in his charge, which said facts of her having broken bulk, landed a great part of her cargo, likewise her having slaves on shore at King Bell's Town, and being at the time at anchor in the River Cameroons, in latitude 4° 0' 5" N., longitude 9° 20' E., being all contrary to the existing Treaties between His Britannick Majesty and His Imperial Majesty the Emperor of Brazil, I detained the said vessel, for the purpose of being brought before the Mixed Commission Court, for a breach of the said Treaties."

The "Ismenia," had no slaves on board at the time of detention, but was furnished with an imperial passport, to trade for slaves at Cabinda, Zaire, and Molembo, with liberty to touch at Princes and St. Thomas.

The witnesses positively deny the allegations of the Captor, and swear, that the "Ismenia" sustained an injury of the main-mast, in a storm, which obliged them to take her into the River Cameroons to repair it; in which statements, with little variation, they all agree.

The monition, in this case, had been returned, on the 20th of January, and the proceedings were ready to be submitted for the consideration of the Commissary Judges of the two nations, when the case was delayed, until the arrival here, on the 26th ultimo, of Lieutenant-Governor Findlay, who, having assumed the duties of His Majesty's Commissary Judge, *ad interim*, immediately swore Mr. Lewis into the situation of Registrar, the duties of which office he forthwith entered upon.

The "Ismenia's" case, was, therefore, shortly afterwards, brought under the consideration of the British and Brazilian Commissary Judges. In the course of the proceedings consequent thereon, M. de Paiva demanded, that the affidavit of the Captor, substantiating his charges against the "Ismenia," should be filed, before he went to the adjudication of that vessel.

A copy of the letter M. de Paiva addressed to His Majesty's Commissary Judge, *ad interim*, upon the subject, together with a copy of the reply returned to that gentleman, we beg, most respectfully, to enclose.

Although great inconvenience may arise therefrom, in consequence of the Captor having quitted the station, yet, on referring to the 3d Article of the Regulations for the Mixed Commissions, and to your Lordship's despatch to His Majesty's Commissioners here, of the 27th of September 1828, communicating to them the opinion of the King's Advocate, upon the necessity of the presence of the Commander of the capturing ship; in which he states, that either of the Commissioners have a right to demand it; His Majesty's Commissary Judge did not see that he could, justly, offer any objections to M. de Pavia's demand.

Mr. Dougan, the Proctor for Captain Owen, has been informed of this circumstance, that he may communicate with him, in order to obtain the presence of the detaining Officer.

We have, &c.

(Signed)

ALEX. FINDLAY.

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K.T.

&c.

&c.

&c.

First Enclosure in No. 54.

M. de Paiva to A. Findlay, Esq.

SIR,

Sierra Leone, May 25, 1830.

IN consequence of the examination, which we have respectively made, of the papers relating to the case of the Brazilian brigantine "*Ismenia*," arbitrarily brought into this port for adjudication—arbitrarily, as will appear on reference to the 5th Article of the Additional Convention to the Treaty of the 22d of January 1815, signed at London the 28th of July 1817; and 1st Article of Instructions for the British ships of war, employed to prevent illicit traffick in slaves; and the 1st Article of the Additional Articles to the Convention relative to the Slave-trade, signed at Lisbon, 15th March 1823; I am, therefore, compelled to require, according to the 3d Article of the Regulations for the Mixed Commissions, the affidavit of the Capturing Officer to be filed in the case, of the correctness of the charges he has, in his declaration, asserted against the "*Ismenia*" before I can go to the adjudication of that vessel.

I have, &c.

(Signed) JOZÉ DE PAIVA, His Imperial Majesty's Commissary-Judge.

*His Excellency Governor Findlay,**His Britannick Majesty's Commissary Judge, ad interim.*

Second Enclosure in No. 54.

A. Findlay, Esq. to M. de Paiva.

SIR,

Sierra Leone, May 25, 1830.

I HAVE had the honour to receive your letter, of this day's date, informing me, that you require the affidavit of the Capturing Officer to be filed in the case of the "*Ismenia*," of the correctness of the charges he has, in his declaration, asserted against that vessel, before you can go to her adjudication.

In reply thereto, I have to acquaint you, that, on referring to the 3d Article of the Regulations for the Mixed Commissions, and to the view His Britannick Majesty's Government take of that point, I find you have a right to demand it; therefore the final sentence of the "*Ismenia*" must be postponed, until the attendance of the Capturing Officer can be obtained.

His Majesty's Commissioners will immediately address the Earl of Aberdeen upon the subject.

I have, &c.

Jozé de Paiva, Esq.

His Imperial Majesty's Commissary Judge, &c.

(Signed) A. FINDLAY.

No. 55.

His Majesty's Commissioners to J. Backhouse, Esq.—(Received Sept. 24.)

SIR,

Sierra Leone, July 5, 1830.

IN pursuance of the 75th clause of an Act, passed in the 5th year of the reign of His present Majesty, intituled "An Act to amend and consolidate the Laws relating to the abolition of the Slave-trade;" and in conformity to that passed in the 7th and 8th years of His said Majesty's reign, intituled "An Act to carry into execution a Convention between His Majesty and the Emperor of Brazil, for the regulation and final abolition of the African slave-trade;" we have the honour to enclose a return of all the cases of Brazilian vessels, adjudicated in the British and Brazilian Court of Mixed Commission, established in this colony, from the first of January last, to the 1st of July 1830.

We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.*John Backhouse, Esq.*

&c. &c. &c.

Enclosure in No. 55.

Return of Brazilian vessels, adjudicated by the British and Brazilian Court of Mixed Commission, established at Sierra Leone, betwixt the 1st of January and the 1st of July, 1830.

NAME of VESSEL.	Date of Seizure.	Where Captured.		Property Seized.	SEIZOR.	Date of Sentence.	Number of Slaves captured.	Number of Slaves adjudicated.	Total emancipated.	Decretal part of Sentence, whether Forfeiture or Restitution.	Whether Property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the Proceeds remain.
		Latitude.	Longitude.								
Tentadora...	Nov. 1, 1829	5° 26' N.	4° 18' E.	{ Schooner and 432 slaves... }	{ F. A. Collier, Esq., C. B. Dallas, tender, with a boat of H. M.S. Sybille. }	May 1, 1830	432	112	320	{ Condemned for being engaged in the illicit traffick in slaves. }	{ Schooner and stores sold by publick auction; the British moiety of the proceeds paid into the military chest, and the Brazilian moiety paid to His Imperial Majesty's Commissary Judge. }
Emilia....	Oct. 31, —	3° 04' N.	7° 30' E.	{ Brig and 157 slaves..... }	{ G. W. Matson, Esq., H. M. B. Clinker. }	May 1, —	157	9	148	Ditto	Ditto
Emilia....	Dec. 9, —	5° 40' N.	3° 54' E.	{ Brigantine and 187 slaves... }	{ A. Gordon, Esq., H. M. S. Atholl. }	May 1, —	187	59	128	Ditto	Ditto
Nao Lendia	Dec. 10, —	2° 41' 8" N.	6° 38' 8" E.	{ Schooner and 184 slaves... }	{ Edward Webb, Esq., H.M.S. Medina. }	May 1, —	184	25	159	Ditto	Ditto
Nossa Senhora da Guia }	Jan. 7, 1830	6° 18' N.	3° 30' E.	{ Schooner and 310 slaves... }	{ F. A. Collier, Esq., C. B. Dallas, tender, with a boat of H. M.S. Sybille. }	May 13, —	310	72	238	Ditto	Ditto
Primeira Rosalia }	Jan. 23, —	3° 24' N.	7° 0' E.	{ Brigantine and 282 slaves... }	{ F. A. Collier, Esq., C.B., H. M.S. Sybille. }	May 13, —	282	40	242	Ditto	Ditto
Umbelino..	Jan. 15, —	3° 48' N.	4° 12' E.	{ Schooner and 377 slaves... }	{ F. A. Collier, Esq., H.M.S. Sybille. }	May 13, —	377	214	163	Ditto	Ditto
Nova Re-solucao . }	Feb. 2, —	5° 25' 3" N.	1° 9' 9" E.	{ Schooner, cargo of merchandise, dize, and 43 slaves..... }	{ Edward Webb, Esq., H.M.S. Medina. }	May 13, —	43	1	42	Ditto	Ditto

(Signed)

ALEX. FINDLAY.
WM. SMITH.

No. 56.

Viscount Palmerston to His Majesty's Commissioners.

(Extract.)

Foreign Office, December 10, 1830.

THE Chevalier de Mattos, Brazilian Chargé d'Affaires at this Court, has made a complaint to His Majesty's Government, upon the subject of the alleged illegal capture and condemnation of the Brazilian slave-vessel "*Voador*," and of the cruel conduct of the Captor, Mr. G. W. Matson, of His Majesty's ship "*Clinker*;" and I herewith send to you a copy * of that complaint, together with a copy of the answer, that, under the opinion of His Majesty's Advocate General, has been returned to the Chevalier de Mattos, in so far as respects the condemnation of the "*Voador*."

I am, &c.

(Signed)

PALMERSTON.

His Majesty's Commissioners.

* See Class B.

SIERRA LEONE. (Portugal.)

No. 57.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received March 7.)

MY LORD,

Sierra Leone, January 5, 1830.

WE have the honour to enclose, herewith, for your Lordship's information, an abstract of the proceedings of the British and Portuguese Court of Mixed Commission, established in this colony, during the year 1829.

Three vessels were adjudicated in that Court, which were all cases of condemnation; and 415 slaves emancipated.

We have, &c.

(Signed)

A. F. EVANS.
WM. SMITH.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 57.

Abstract of Proceedings under the British and Portuguese Mixed Commission at Sierra Leone, from the 1st January 1829, to the 1st January 1830.

No. 1.—The Portuguese brig, "*Vingador*," was captured on the 15th of January 1829, by His Majesty's ship "*Primrose*," Thomas Saville Griffinhoofte, Esq. Commander, at anchor, off the River Cacheo, having on board 227 slaves. These slaves were proved to have been shipped in Cacheo, a few days previously. Sentence of condemnation was, therefore, passed upon her, and 225 slaves decreed to be emancipated, on the 3d of March,—2 having died previous to adjudication.

No. 2.—The Portuguese galliot, "*Aurelia*," was captured on the 15th of January 1829, off the River Cacheo, by His Majesty's ship "*Primrose*," Captain Griffinhoofte, with 38 slaves on board; for whom passports were shewn by the several passengers on board the "*Aurelia*," declaring them to be domesticks. The evidence, however, clearly proved, that only 9 of these slaves could partake of that character. The Court, therefore, condemned the "*Aurelia*," and emancipated those who were slaves, 29 in number, on the 3d of March 1829.

No. 3.—The Portuguese brig, "*Hossé*," Benito Torrent, Master, was captured on the 23d of March last, in latitude 6° 5' N., longitude 2° 25' E., by His Majesty's ship "*Sybille*," Commodore Collier, C. B., Commander, with 182 slaves on board. These slaves were proved to have been shipped at Whydah. The Court, consequently, on the 24th of June, pronounced sentence of condemnation on the "*Hossé*," and decreed the emancipation of the surviving slaves, 166 in number;—16 having died between the time of capture and condemnation.

(Signed)

A. F. EVANS.
WM. SMITH.

Sierra Leone January 1, 1830.

No. 58.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Aug. 17.)

MY LORD,

Sierra Leone, June 14, 1830.

WE have the honour to forward, herewith, for your Lordship's information, the copy of a letter, addressed by His Majesty's Consul at St. Jago, Cape de Verdes, under date of the 26th of March 1830, to Mr. George Jackson, His Majesty's Commissary Judge at this place, notifying that M. A. Martins, a resident of Boa Vista, had obtained permission, from the Portuguese Government, to import, from the settlements of Bissao and Cacheo, on this coast, annually, 150 slaves, for the alleged purpose of establishing a fishery.

The permission, thus granted by the Portuguese Government to M. A. Martins, is, in our humble opinion, directly at variance with the provisions of the Treaty and Convention, between Great Britain and Portugal, for the repression of the illicit traffick in slaves.

By the 1st Article of the Convention it is stipulated, that the High Contracting Parties consider as illicit any traffick in slaves, carried on by Portuguese vessels, in any harbours or roads on the Coast of Africa, which are prohibited by the 1st Article of the Treaty of the 22d of January 1815 ;—which said 1st Article of the Treaty makes it unlawful for the subjects of the Crown of Portugal, to purchase slaves, or to carry on the slave-trade, on any part of the Coast of Africa, to the Northward of the Equator, upon any pretext, or in any manner, whatsoever.

If, therefore, His Majesty's cruisers should detain any vessel belonging to M. A. Martins, carrying over slaves from Cacheo to Bissao, under the permission he has obtained for their importation into the Cape de Verde Islands, we shall not hesitate to condemn the vessel, for being engaged in the illicit traffick in slaves, and decree the emancipation of the slaves, who may be found on board at the time of capture.

We have, &c.
(Signed)

ALEX. FINDLAY.
WM. SMITH.

The Right Hon. the Earl of Aberdeen K. T.
 &c. &c. &c.

Enclosure in No. 58.

Mr. Consul Goodwin to G. Jackson, Esq.

SIR,

British Consulate, St. Jago, Cape de Verde Islands, March 26, 1830.

I HAVE the honour to acquaint you, that I have lately received information, that M. A. Martins, of Boa Vista, hath obtained leave, from the Portuguese Government, to import 150 negroes per annum, from Bissao and Cacheo, for the alleged purpose of establishing a fishery.

I have, &c.

George Jackson, Esq.
 &c. &c. &c.

(Signed)

JNO. GOODWIN.

SIERRA LEONE. (Netherlands.)

No. 59.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received March 7.)

MY LORD,

Sierra Leone, January 5, 1830.

ENCLOSED, we have the honour to transmit to your Lordship, an abstract of the proceedings of the British and Netherlands Mixed Court of Justice, established in this colony, during the year 1829.

Five vessels were adjudicated in that Court, which were all cases of condemnation; and 527 slaves emancipated.

We have, &c.

(Signed)

A. F. EVANS.

WM. SMITH.

The Right Hon. the Earl of Aberdeen, K.T.
&c. &c. &c.

Enclosure in No. 59.

Abstract of Proceedings in the British and Netherland Mixed Court of Justice, Sierra Leone, from the 1st of January 1829, to the 1st of January 1830.

No. 1.—The schooner "*Coquette*," Emile Vincent, Master, with 220 slaves on board, was captured, whilst sailing under French colours, by the "*Horatio*," tender to His Majesty's ship "*Eden*," Captain Owen, charged with being, *bona fide*, a Dutch vessel, illegally trafficking in slaves.

A claim was made for the "*Coquette*" by the Master, under the plea that she was a French vessel, and French property; but her Dutch papers having been produced by Captain Owen, accompanying a subsidiary declaration, and it having also been proved that she was Dutch property, the Court, on the 26th of January 1829, condemned the "*Coquette*," and decreed the emancipation of her surviving slaves, 185 in number;—35 having died between the period of capture and adjudication.

No. 2.—The brig "*Jules*," André Ferraud, Master, was captured on the 6th of January 1829, sailing under Netherland colours, by the boats of His Majesty's ship "*Eden*," under the command of Lieutenant Badgley, on the bar of the Old Calabar River, with 220 slaves on board, who were proved to have been shipped in that river on the 3d of the same month. She was furnished with an incomplete and informal set of French papers, purporting her to be a French vessel; but the evidence clearly proved these papers to be false; and that the Dutch papers, the true papers of the vessel, had been thrown overboard on the approach of the capturing ship's boats. The Court, therefore, condemned the "*Jules*" on the 24th of June, as good and lawful prize; and emancipated her surviving slaves, 207 in number,—13 having died since capture.

No. 3.—The schooner "*La Jeune Eugenie*," Neils Williams, Master, sailing under Netherland colours, was captured on the 6th of January 1829, by the "*Cornelia*," Lieutenant Badgley, Commander, tender to His Majesty's ship "*Eden*," on the bar of the River Old Calabar, with 50 slaves on board, who were shipped in that river on the 3d of the same month.

This vessel was furnished with a set of French papers similar to those of the "*Jules*," but the evidence adduced clearly proved her to be owned by a Dutch subject, residing in St. Eustatius, named Jan Vangheut; and that the Dutch papers, the true papers of this vessel, were thrown overboard on the approach of the capturing vessel. The Court, therefore, condemned her on the 24th of June, and emancipated her surviving slaves, to the number of 46,—4 having died between capture and adjudication.

No. 4.—The Netherland schooner "*Adeline*," alias "*Fourmi*," — Sarassin, Master, was captured on the 9th of February, 1829, by His Majesty's ship "*Eden*," William FitzWilliam Owen, Esq., Commander, in Clarence Cove, Island of Fernando Po, with a cargo of merchandize on board; she having been previously detained under French colours, on the 6th of December 1828, and brought to that island by a boat of the "*Eden*," under the command of Lieutenant Badgley, in the River Akassatora of Brass, for an unprovoked act of hostility committed upon the said boat.

The ship's papers of the "*Adeline*" declared her to be French property; but the witnesses, examined in the case, swore, that these papers were false, and that the true papers, the Dutch, were about the person of the Master, Sarassin, when he jumped overboard, on the night of the 6th of December.

The evidence further proved the "*Adeline*" to be Dutch property, and that at the time of capture she was equipped for the slave-trade, being fitted with a slave-deck, slave-irons, slave-coppers, &c.,

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The Court, therefore, at its sitting on the 24th of June, condemned the "*Adeline*," alias "*Fourmi*," her tackle, apparel, and furniture, and the goods, wares, and merchandize, as good and lawful prize.

No 5.—The "*Hirondelle*," sailing under Netherland colours, and commanded by José Carretero, was captured on the 26th of February 1829, within the entrance of the Old Calabar River, by His Majesty's ship "*Eden*," William FitzWilliam Owen, Esq., Commander, with a part cargo of merchandize, and 112 slaves, on board,—34 of whom were landed by Captain Owen at Fernando Po.

The "*Hirondelle*" was furnished with papers purporting her to be a French vessel; but the evidence having proved those papers to be false and fictitious, and that she really was Dutch property, belonging to a merchant residing at St. Eustatius, named Hendrique; and that the true papers of the vessel had been thrown overboard at the time of capture; the Court passed sentence of condemnation upon the "*Hirondelle*," and decreed the emancipation of her 55 slaves, who were at Sierra Leone at the time of passing the sentence (23 having died out of the 78 sent up,) and of the 34 slaves, or the survivors of them, who were landed at Fernando Po, on the 24th of June 1829.

(Signed)

A. F. EVANS,
WM. SMITH,

Sierra Leone, January 1, 1830.

No. 60.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, April 7, 1830.

YOUR despatch of the 26th of June, and your letter of March 11, 1829, on the slave-vessel the "*Jules*," and your despatch of the 6th of June, and your letter of the 12th of March 1829, on the slave-vessel the "*Jeune Eugenie*," have been communicated to His Majesty's Advocate-General.

The King's Advocate has reported it to be his opinion, that the fact of the Netherland flag having been flying at the time of capture, was sufficient whereon to justify proceedings against the ships and slaves in the Mixed British and Netherland Court of Commission; that the facts proved upon the trials clearly established the Dutch character of the vessels and their cargoes; and that under these circumstances the sentence condemning them as such, and decreeing the liberation of the slaves, was perfectly just and proper.

I am, &c.

His Majesty's Commissioners.

(Signed)

ABERDEEN.

No. 61.

His Majesty's Commissioners to the Earl of Aberdeen (Received November 14.)

MY LORD,

Sierra Leone, September 16, 1830.

WE beg leave, most respectfully, to acknowledge your Lordship's despatch, dated the 7th of April, 1830, which we received on the 4th instant, communicating to us the opinion of His Majesty's Advocate-General, upon the cases of the Netherland slave vessels the "*Jules*" and "*Jeune Eugenie*;" who has reported; that the fact of the Netherland flag having been flying at the time of capture, was sufficient whereon to justify proceedings against the ships and slaves in the Mixed British and Netherland Court of Commission. That the facts proved upon the trials clearly established the Dutch character of the vessels, and their cargoes; and that, under these circumstances, the sentence condemning them as such, and decreeing the liberation of the slaves, was perfectly just and proper.

It is extremely gratifying to us to learn, that the course we pursued, in regard to the "*Jules*" and "*Jeune Eugenie*" was correct; and we beg to return our humble thanks to your Lordship for the communication, as the circumstances, under which those vessels were seized and condemned, having been approved of, will form, in future, a precedent and guide for our conduct in cases of a similar nature.

We have, &c.

(Signed)

ALEX. FINDLAY.
WM. SMITH.*The Right Hon. the Earl of Aberdeen, K. T.*

&c.

&c.

&c.

HAVANA.

No. 62.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received Jan. 29, 1830.)

MY LORD,

Havana, November 28, 1829.

THE nefarious system of enticing British sailors to desert and embark on board slave-vessels, bound for the Coast of Africa, being, I am sorry to say, more prevalent every day, I addressed a note on the subject to the Captain-General, enclosing a copy of one I had received from Lieutenant Pulling, of His Majesty's schooner "Skipjack." I have now the honour to send a translation of his Excellency's answer.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K.T.

&c.

&c.

&c.

First Enclosure in No. 62.

W. S. Macleay, Esq. to the Captain-General.

Havana, November 21, 1829.

THE Undersigned, Commissioner of His Britannick Majesty, has the honour to request his Excellency the Captain-General's special attention to the enclosed copy of a letter, which he has received from Lieutenant Pulling, commanding His Majesty's schooner "Skipjack," by which it appears, that British seamen are enticed to desert from His Majesty's ships, while in this port, and inveigled, at the hazard of their lives, to serve on board vessels fitted out for the slave-trade.

As this is an evil of the utmost magnitude, it will be the duty of the Undersigned to state the particulars to his Government, with the least possible delay.

The Undersigned has the honour, &c.

(Signed)

W. S. MACLEAY.

His Excellency the Captain-General.

Second Enclosure in No. 62.

Lieutenant Pulling to W. S. Macleay, Esq.

SIR,

His Majesty's Schooner "Skipjack," Havana, November 19, 1829.

HAVING been informed, in the course of my enquiries for volunteers for His Majesty's service, about 3 days since, that 4 men, (George Anderson, William Scott, John Powell and John Kneall,) who had deserted from His Majesty's ship "Galatea" while in this port, were on board the American schooner "William Gardner," of Baltimore, I made it my immediate duty to find some proof, if possible, of their identity, in order to reclaim them; during this investigation I learned, that, on deserting from His Majesty's ship "Galatea," they had been harboured by a man, commonly called Portuguese Joe, well known in Havana, but whose real name I could not ascertain, who afterwards entered them on board the American ship "United States," Mr. Kennedy, Master, and by the names above stated, and on the day subsequent to the sailing of the "Galatea," again inveigled and took them on board the schooner "William Gardner," of Baltimore. When just prepared to make representations to this effect to the Spanish Authorities, the circumstance was unfortunately mentioned by Mr. Kennedy to the Master of the "William Gardner," and the men again escaped.

It appears to me, Sir, from the conversations I have held with various Masters of merchantmen, as well as from the above circumstances, that the frequent desertions from His Majesty's service, in this port, are all attributable to the same cause. The men, known by the common term of *landlords*, encourage the seamen, by promises of high wages, &c., to desert, harbour them during their own ship's stay in port, encourage them to live expensively, and when completely in their power, place them on board vessels engaged in the traffick of slaves, and this also accounts for the intermixture of English and American sailors in these vessels.

Considering it highly desirable, Sir, to overthrow so detestable a system, and being uncertain when I shall have it in my power to communicate the particulars to the Commander-in-Chief, I have taken the liberty of writing you on the subject, hoping that some means may suggest themselves, to punish the offender in this case, and prevent the future operations of those of his class.

I have the honour to be, &c.
(Signed) J. PULLING, Lieutenant, Commander.

W. S. Macleay, Esq.
His Majesty's Commissioner, Havana.

Third Enclosure in No. 62.

(Translation.)

The Captain-General to W. S. Macleay, Esq.

Sir,

Havana, November 25, 1829.

I HAVE received your letter of the 21st instant, enclosing that of the Commander of His Britannick Majesty's schooner "Skipjack," and informing me, that British sailors are enticed to desert from vessels of their nation, and inveigled to serve on board vessels, which, as you say, are intended for the Coast of Africa; and it is my duty to acquaint you, in answer, that this Government has long since established the punishment to be incurred by those persons who receive or conceal deserters, and sailors who have not their papers in the proper form, to prove that they are legally disembarked; but, nevertheless, I have this day issued orders to the Agents of Police, for the most exact execution of those laws, in order to put a stop to disorders so prejudicial in every sense.

God preserve you many years.

The Commissioner of His Britannick Majesty.

(Signed)

F. D. VIVES.

No. 63.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received March 9, 1830.)

MY LORD,

Havana, November 30, 1829.

ON the 5th instant sailed the Spanish schooner "Iberia," D. Antonio Manubo, for the Coast of Africa.

On the 7th instant arrived in this port the Spanish schooner "Ligera," alias "Intrepida," D. Jozé Ramon Zavala, Master, and on the 24th instant, the schooner "Amistad Habanera," D. Dionisio Urquijo, Master, both vessels having previously landed slaves on the coasts of this island. These 2 vessels were reported by me to the Captain-General, and I have received the customary answer,—that nothing against them is proved by their log-books.

On the 25th instant arrived the brig "Ricardo," D. Marcellino Moran, Master, which sailed from this port so long ago as the 2d October 1828, having been blockaded by one of His Majesty's schooners in the River Bonny; it appears that, after losing a great part of her crew, and a whole cargo of negroes, by sickness, she was obliged to sail for this island in ballast. The expedition consequently has been most ruinous to her Owners.

I have the honour also to inform your Lordship, that the brig "Almirante," which was lately captured on the Coast of Africa, and sold, after condemnation, at Sierra Leone, arrived here lately, under Brazilian colours, in ballast, the object of her present Owners being, it is said, to sell her again to the slave-traders of the Havana.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

No. 64

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received March 9, 1830.)

MY LORD,

Havana, December 2, 1829.

LIEUTENANT JOSEPH SHERER, who now commands His Majesty's schooner "Nimble," arrived here on the 21st ult. with the Spanish schooner

"*Gallito*," which, with a cargo of 136 slaves, and a crew of 16 men, was captured, near the Berry Islands, by the vessel under his command, on the 16th ult.

The Mixed Commission met on the 23d ult., and on the 26th signed the sentence, condemning the captured schooner, and emancipating the 135 slaves, who were delivered over to the Captain-General. I have the honour to enclose to your Lordship, copies of the Captor's declaration and certificates, an abstract of the evidence, and a translation of the sentence.

The "*Gallito*," which is a small schooner of less than 60 tons, sailed from the Havana, on the 18th February last, under the command of D. Francisco Garcia, as if bound for the Isla de Principe. She made, however, direct for the River Pongo, near Sierra Leone, where resides the notorious slave merchant John Ormond, from whose factory, on the 6th October last, she took on board, in exchange for her cargo, 144 negroes. Of these, 8 died before her detention by the "*Nimble*," and 1 after. The "*Gallito*," previous to being captured, was dismasted, owing to her having made some resistance, which was attributed, as usual, by the crew, to their mistaking His Majesty's schooner for a Columbian privateer. One of the crew, Thomas Johnson, is an American citizen, and was accordingly delivered over to the American Consul, by Lieutenant Sherer.

John Ormond, the principal slave-dealer in the Rio Pongo, is a mulatto, and son, I am told, of a Genoese, formerly occupied in this traffick. I believe he has himself made more than one voyage to the Havana, with a cargo of negroes, although he now styles himself a king or prince of the country. The manner in which this man dares to carry on his traffick, in the vicinity of Sierra Leone, will be best shewn by his account current with the Master of the "*Gallito*," a copy of which, together with another of a certificate of his having detained a Spanish sailor, I now have the honour to forward to your Lordship, in the event of its being possible to punish him.

The various individuals of the "*Gallito*" who were examined, have sworn, that Francisco Garcia, the Master, is also the Owner, but in this they have only stupidly perjured themselves, for among the papers annexed to the proceedings, there is the Custom-House Register, by which it appears, that Messrs. Busto and Inclan, Merchants of this city, are the real Owners. These Merchants who have lately become Bankrupts, were Owners, as I have already had the honour of informing your Lordship, of the "*Golondrina*," captured in the beginning of this year, by His Majesty's schooner "*Pickle*." It may also be collected from a scrap of paper, found on board the "*Gallito*" by the Captors, and which appears to be a rough draft of some letter formerly written by D. Francisco Garcia to his Owner, that the schooner "*Pronta*," mentioned in my despatch, dated 10th October last, likewise belongs to D. Ramon Inclan, and sailed, in the course of last summer, from the Rio Pongo, with a cargo of slaves for this island. I fear, therefore, that the above-mentioned part of the African Coast, is much haunted by small Spanish slave-vessels.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

First Enclosure in No. 64.

Declaration of the Captor of the "Gallito."

I JOSEPH SHERER, Lieutenant, commanding His Britannick Majesty's schooner "*Nimble*," do hereby certify, that on the evening of November 16, 1829, in latitude 23° 50' N., longitude 77° 30' W., I captured the Spanish slave schooner "*Gallito*," from the Rio Pongo, on the Coast of Africa (near Sierra Leone), as I learn, as well from certain negroes on board who speak English, as from the papers found on board, with a cargo of 136 slaves, and a crew of 16 men, mounting 1 long 9-pounder, and otherwise armed. I also certify, that the said schooner fired at the flag of His Britannick Majesty.

She had on board at the time of capture 6 days' provisions and water.

X

I further certify, that I have given the Captain, Don Francisco Garcia, the necessary certificate for his papers, which accompany this, from No. 1 to No. 13, and that I have, in every other way, strictly complied with my instructions.

Given under my hand, on board the said schooner, at sea, this 17th day of November 1829.

(Signed) JOSEPH SHERER, Lieut. and Commr.

Witness, (Signed) ALLAN GEORGE BOGLE, Sen. Mid.
R. W. CAMPBELL, Assist. Surgeon.

We, the undersigned, do hereby certify, that, on the capture of the vessel, mentioned on the other side, we attended most strictly to the counting the slaves on board, and found as follows :

	HEALTHY.	SICK.
Men	23	2
Women . .	75	4
Boys	25	1
Girls	6	"
	129	7
	7	
Total	136	

Given under our hand, on board the said schooner, at sea, this 17th day of November 1829.

(Signed) ALLAN GEORGE BOGLE, Sen. Mid.
R. W. CAMPBELL, Assist. Surgeon.

I do hereby certify, that none of the slaves taken in the schooner "*Gallito*," have died since she has been in possession of His Majesty's schooner "*Nimble*."

His Britannick Majesty's Schooner "*Nimble*," (Signed) R. W. CAMPBELL, Assist. Surgeon.
Havana, November 21, 1829.

I do further certify, that, since the delivery up of the above mentioned papers, by the Master of the "*Gallito*," 9 other documents have been found on board, which are accordingly duly numbered and endorsed by me, in order to be delivered up to the Mixed Commission.

His Britannick Majesty's Schooner "*Nimble*," (Signed) JOSEPH SHERER, Lieut. and Commr.
Havana, November 21, 1829.

Additional Certificate.

I certify, that 1 negro slave died on board the Spanish schooner "*Gallito*," since my last certificate, dated 21st November 1829.

Given under my hand, on board His Majesty's schooner "*Nimble*," in Havana Harbour, this 24th day of November 1829. (Signed) R. W. CAMPBELL, Assist. Surgeon.

Second Enclosure in No. 64.

Abstract of the Evidence in the Case of the "Gallito."

LIEUTENANT JOSEPH SHERER being sworn, and having shewn his instructions, deposed, that the declaration now produced, in the English language, is signed by him, and truly sets forth the state of the "*Gallito*" at the time of her detention, with the number of slaves she had on board. The deponent then identified the papers of the vessel, Nos. 1 to 13, as delivered to him by the Master of the slave vessel, and 9 other papers, found afterwards on board, from which were separated, as bearing more essentially upon this case of detention,—1, the muster roll; 2, the passport; 3, the contrasena; 4, the custom-house register; 5, an account current, in the English language, signed by J. Ormond; 6, a certificate, signed by the same person, relative to the detention of a Spanish sailor, on the Coast of Africa; 7, a printed copy of the Treaty between their Britannick and Most Faithful Majesties, for the abolition of the slave-trade; and 8, two log-books.

Mr. R. W. Campbell, Assistant Surgeon of His Britannick Majesty's schooner "*Nimble*," being sworn, deposed to the truth of the facts set forth in the declaration of the Captor, and identified the certificates, signed by the deponent, by which it appears, that the negroes were reduced to the number of 135, when delivered over to the Captain-General.

Francisco Garcia, a native of Granada, in Andalusia, aged 51, a married man, and a Catholic, being sworn, deposed, that he is by profession Master and Pilot of the Spanish merchant schooner "*Gallito*,"

which has been brought into this port, by the English schooner of war "Nimble;" that he was detained, by the said vessel of war, about 5 leagues to the eastward of Abacu; that the "Nimble" fired more than 20 shots at the "Gallito," and at last completely dismasted her; that this deponent certainly did return the fire of the "Nimble," but only with 3 shot; that this deponent believes the "Nimble's" attack to have been owing to the "Gallito's" having a cargo of slaves on board, who were embarked in the Rio Pongo, on the Coast of Africa; that the deponent took these slaves on board, because he could not meet with any ivory, or other marketable produce; that this deponent sailed, from this port of Havana, on the 18th February last, with a cargo of aguardiente, gunpowder, and dry-goods, and was bound for the Isla de Principe; that he did not reach Principe, by reason of damage, which the "Gallito" experienced in a storm, to the south of Bermuda; that he was obliged to enter the River Pongo, by reason of the damage he had experienced; that on his arrival in this river the King of the country, called Ormond, in return for the deponent's cargo, gave him 144 slaves to sell here on the said King's account, authorizing the deponent to pay himself out of the proceeds of the sale; that at the time of detention of the "Gallito," there remained alive 136 negroes, 8 having died on the voyage previously; that the "Gallito" touched at no port on her return from Pongo; that 1 negro has died since her arrival in the Havana, thus reducing the number of negroes to 135; that this deponent is the owner and supercargo of the "Gallito;" that the papers now produced, are really the papers of the "Gallito," which were taken from the deponent by the Commander of the English schooner; that there was no cargo on board at the time of detention, except the provisions necessary for the subsistence of the negroes, during the remainder of the voyage.

Vicente Dias Cardoso, a native of Bahia in Brazil, aged 36, unmarried, and a Catholick, being sworn, deposed, that he has been naturalized a Spaniard, and resides in this City of Havana; that, by profession, he is 2d Mate of the Spanish merchant schooner "Gallito;" that this deponent was named to the said office, by the Captain of the said schooner, D. Francisco Garcia; that he sailed from this harbour, on the 18th February last, for the Islands of St. Thomas and Principe, with a cargo of various kinds of goods; that the "Gallito" did not reach either of these islands, she having directed her course for the River Pongo, on the Coast of Africa, where her cargo was landed, and where, there being no ivory, or other merchandize on the spot, the Captain took on board 144 negroes; that the "Gallito" was brought into this port, on account, as this deponent supposes, of having negroes on board, being detained near the Berry Islands, by the English schooner of war "Nimble," on the 16th of this present month, which schooner fired several times at them, the "Gallito" only answering with 3 shot, which were fired, because the crew had heard that there had been in those latitudes a Columbian privateer; that 8 of the negroes having died on the voyage, only 136 were alive at the time of detention; that there was no other cargo on board; that this deponent was taken on board the English schooner, and does not know what passed afterwards, but has heard, that 1 negro died since; that this deponent has always considered D. Francisco Garcia to be the Owner; that the papers now produced, are all the true papers of the "Gallito," together with the account current in English, signed Ormond, and the certificate of the detention at Pongo, of Evaristo Minguez, one of the sailors of the "Gallito."

Jozé de los Santos, native of Vigo, in Galicia, aged 43, unmarried, and a Catholick, being sworn, deposed, that he rates as 3d Boatswain, in the Royal Spanish Navy, and is now serving as Boatswain in the schooner "Gallito," because Bartholomew Martinez, who is mentioned in the muster-roll as Boatswain, did not embark; that his place of Boatswain was given him by Don Francisco Garcia, who took the deponent on board in this port, and sailed from thence for the Isla de Principe, with a cargo of merchandize, but this deponent does not recollect the day of sailing; that the "Gallito" never reached Principe, by reason of a storm, which made them make for the Coast of Africa, and the River Pongo. That here the Captain landed his cargo, but not finding any ivory for sale, he was obliged to take a cargo of negroes, on freight, on account of the Prince of that part of the country, who took the cargo of the "Gallito," and authorized the Captain to repay himself, out of the proceeds of the sale of the negroes, he engaging to return him the balance; that 144 negroes were embarked; that they came in sight of Abacu, without having touched at any place, when they were detained by the English schooner, on account of the slaves on board; that the English schooner fired several times, and was only answered with 3 shot, which were fired by the "Gallito," under the belief that she was a Columbian; that the "Nimble," during the whole time of the chase and firing, displayed the British colours; that 136 negroes were alive at the time of detention, and that 1 has died since their arrival in the Havana; that this deponent has always believed Francisco Garcia to be the Owner; that he knows him to be such; that the papers now produced are really the papers of the vessel, with the exception of those numbered 4 to 6 inclusive, which this deponent believes to be private papers, belonging to the Captain.

[These last mentioned papers were the register, the account current, and the certificate of the detention of Evaristo Minguez.]

Third Enclosure in No. 64.

(Translation.)

Sentence of the Mixed Commission in the Case of the "Gallito."

IN the always most faithful City of the Havana, on the 26th day of November 1829, the Most Excellent Señor Don Claudio Martínez de Pinillos, Conde de Villaneuva, Councillor of State, Intendant, Superintendent-General of the Army, and Royal Revenues, Spanish Commissary Judge in the Mixed Commission, with Colonel D. Rafael de Quesada, and D. William Sharp Macleay, the Commissioners of Arbitration, assembled together by reason of the absence, with permission of his Government, of the British Commissary Judge; and having taken into consideration the proceedings consequent upon the detention (which, after some firing on both sides, the English schooner-of-war

"Nimble," commanded by D. Joseph Sherer, made in latitude 23° 50' N., and longitude 77° 30' W.) of the Spanish merchant schooner, "Gallito," D. Francisco Garcia, Master, with a cargo of 136 Bozal negroes, alive, on board at the time of detention, of whom 1 has since died in this port; and it being plainly shewn, as well by the evidence of the Spanish Master, as that of the other witnesses examined, and by the various documents found on board the said Spanish schooner "Gallito," that she sailed from this port, on the 18th day of February of this present year, with papers, and a cargo, for the Isla de Principe; that she directed her course to the Rio Pongo, on the Coast of Africa, where 144 slaves were taken on board, of whom only 136 existed at the time of detention, which number, by the death of 1 more in this harbour, is now reduced to 135. The aforesaid Commissioners resolved, with all due regard to the merits of the case, according to the brief and summary mode of proceeding adopted by the Commission in all such cases, on the truth being made manifest, that they ought to declare, and hereby do declare, the capture of the above-mentioned schooner, "Gallito," and of the 136 negroes found on board, to be good and legal; and that the said schooner, her tackle, apparel, and whatever else she may contain, are subject to confiscation, with the exception of the 135 negroes remaining alive, who are hereby declared to be free from all slavery and captivity. The said Commissioners accordingly direct, that the condemned vessel be valued, under oath, by the principal Masters of the Royal Arsenal, who shall give a proper voucher to that effect; and that she shall be exposed to public auction in the presence of the Auxiliary Notary of the Real Hacienda, D. Francisco Jozé de Cower, in order that, being disposed of to the highest bidder, the proceeds may be applied to the benefit of the two Governments; the said vessel being, for the present, placed in deposit with D. Jayme Andreu, who shall likewise swear, faithfully to perform his duty, and shall receive her from the Captor, according to formal inventory. The Commissioners shall proceed, moreover, without loss of time, to deliver, as is customary, to the aforesaid 135 negroes, their certificates of emancipation, by means of the Secretary, D. Juan Francisco Cascales, and shall address an official letter, with a certified copy of the sentence, to his Excellency the Captain General, in order that he may take proper measures to carry it into effect, and because the individuals composing the crew of the schooner "Gallito," remain in prison, at his Excellency's disposal; and by this their sentence, the Commissioners, definitively deciding, have thus provided, ordered, and signed, in the presence of their Secretary, who certifies.

(Signed) EL CONDE DE VILLANUEVA.
RAFAEL DE QUESADA.

(Signed) JUAN FRANCISCO CASCALES, Secretary.

W. S. MACLEAY.

Fourth Enclosure in No. 64.

John Ormond, Esq. on account with Captain Fran^o. Garcia.

Cr.

Dr.

1829.		DISBURSEMENTS, viz.	
April 10	By goods received from the schooner Gallito - - -	1829.	June 20 By 143 slaves, at \$ 85 58 each - - -
	\$ 8,753 0		\$ 12,237 94
May 20	By ditto ditto - - -		For pilotage
	556 60		Port charges
May 30	Cash - - - - -		20 bushels of rice
	600 0		For fresh stock
	Total - 9,909 60		Ship's expences
	To be added 25 per cent. - 2,477 40		To 30 gallons of palm-oil
	12,387 0		To 20½ ditto of paint-oil
June 12	By Cash - - - - -		To 19 lbs of paint
	16 0		To 1 tricle
			To 1 lantern
			148 0
			By balance due - - - - -
			17 6
	Grand total \$ 12,403 0		Total \$ 12,403 0

Bangalane, October 6, 1829.

(Signed) JOHN ORMOND.

I certify the above to be a true and faithful copy of the original, deposited in the archives of the Mixed Commission.

(Signed) W. S. MACLEAY.

Havana, November 26, 1829.

Fifth Enclosure in No. 64.

Copy of a Certificate of John Ormond.

Bangalaney, October 6, 1829.

I DO herby certify to have detained from the schooner "Gallito," comanded by D. Francisco Garcia, one man, of the name Evaristo Mingues, Bosen, on account of bad conduct, and ill beavour, towards his Officers on his passage as well as at the time of the vessel being at anchorage, and for treating his Officers' lives, therefore, with the consent of his Officers and the remaind of the Chiefs

of my dominions, who have tink prople, for the sayete of the Officers and crew, to exclude him from the list of the said schooner, wherefore I have aply my signature and seal.

(L. S.)

To all whom it may concern.

(Signed)

JNO. ORMOND.

I do certify the above to be a true and faithful copy of the original deposited in the Archives of the Mixed Commission,

(Signed)

W. S. MACLEAY.

Havana, November 26, 1829.

No. 65.

W. S. Macleay, Esq. to the Earl of Aberdeen:—(Received March 9, 1830.)

MY LORD,

Havana, December 30, 1829.

ON the 1st instant the American schooner "*William Gardner*," W. F. Hill, Master, sailed for Galinas, on the Coast of Africa; and it is reported that her object is to aid some Spanish slave-vessels, which are blockaded in that river by His Majesty's cruizers, in bringing off their slaves.

On the 3d instant the Spanish schooner "*Urraca*," D. Jozé Fernando de la Vega, Master, also sailed for the African Coast.

On the 7th instant the Spanish brig "*Nueva Amalia*," D. Francisco Granell, Master, a vessel which I have already had the honour of bringing under your Lordship's notice, in my despatch of the 25th of May last, arrived from Africa. As this vessel was, according to the English and American newspapers, publickly fitted out for the slave-trade at Barcelona, I thought it right to mention the circumstance to the Captain-General; and I now beg leave to enclose copies of the correspondence which has passed respecting her. I have not yet received intelligence of the result of the investigation, which his Excellency has directed to be made into this case of slave-trade.

On the 10th instant the schooner "*Maria*," D. Francisco Romero, Master, arrived here, after having landed a cargo of slaves. This Francisco Romero, I have every reason to believe, is the same person who commanded the "*Maria*," which was destroyed, last year, by His Majesty's schooner "*Skipjack*." The vessel now arrived was not fitted out from the Havana; but, whether she be the same vessel, respecting which I am commanded, by your Lordship's despatch of the 19th of August last, to forward intelligence, I am as yet unable to state; in the first place, because "*Maria*" is one of the most common names for Spanish vessels; and secondly, because the crew of the "*Gallito*" have stated to Lieutenant Sherer, of His Majesty's schooner "*Nimble*," that a Spanish slave-vessel, called "*Maria*," fitted out from Cadiz, was lately taken by one of His Majesty's cruizers on the Coast of Africa. As the force of the schooner arrived, appears to agree with that mentioned in Mr. Bosanquet's note to M. Salmon, of the 17th of June last, perhaps the name of the Master, now stated, will enable His Majesty's Consul at Cadiz to ascertain whether she be the same vessel. I have the honour to enclose copies of the correspondence, which has passed between the Captain-General and myself, on the subject of the "*Maria*" which has arrived. His Excellency allows that she was fitted out in Cadiz.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c

First Enclosure in No. 65.

W. S. Macleay, Esq. to the Captain-General.

Havana, December 10, 1829.

THE Undersigned, Commissioner of His Britannick Majesty, has the honour to acquaint his Excellency the Captain-General, that it having been publickly stated, some months since, in the English and American newspapers, that the "*Amalia*," D. F. Granell, Master, was at Barcelona last

Y

winter, fitting out for the slave-trade on the Coast of Africa, it will be incumbent on the Undersigned to state to his Government, that this vessel, after having landed slaves on the coast, arrived "in ballast" in the port of the Havana, on the 7th instant, from St. Thomas.

The Undersigned has the honour, &c.

His Excellency the Captain-General.

(Signed)

W. S. MACLEAY.

Second Enclosure in No. 65.

W. S. Macleay, Esq. to the Captain-General.

Havana, December 12, 1829.

THE Undersigned, Commissioner of His Britannick Majesty, has the honour to apprise his Excellency the Captain-General, that it will be his duty to report to his Government the arrival in this port, from the Coast of Africa, of the Spanish schooner "Maria," D. Francisco Romero, Master, she having previously landed a cargo of slaves on the coasts of this island.

The Undersigned has the honour, &c.

His Excellency the Captain-General.

(Signed)

W. S. MACLEAY.

Third Enclosure in No. 65.

(Translation.)

The Captain-General to W. S. Macleay, Esq.

SIR,

Havana, December 15, 1829.

I HAVE received your letter of the 10th instant, informing me, that, some months since, the English and American papers announced that the brig "Amalia," D. Francisco Granell, Master, was fitted out at Barcelona, last winter, for the slave-trade, to the Coast of Africa, and that it will be your duty to state the arrival of this vessel, in this port, in ballast, on the 7th instant, from St. Thomas, and in obedience to the resolution of the King, my august Master, dated January 2, 1826, I this day have directed the Officer second in command over the naval forces on this station, to make the necessary investigation, of the result of which you shall be duly informed.

God preserve you many years.

The Commissioner of His Britannick Majesty.

(Signed)

F. D. VIVES.

Fourth Enclosure in No. 65.

(Translation.)

The Captain-General to W. S. Macleay, Esq.

SIR,

Havana, December 15, 1829.

I HAVE received your letter of the 12th instant, informing me, that it will be incumbent on you to give information to your Government, of the arrival in this port, of the Spanish schooner "Maria," D. F. Romero, Master, after having landed a cargo of slaves; and I beg to inform you, in answer, that, in obedience to the Royal Order of my august Master, dated 2d January, 1826, I this day have directed the Officer second in command over the naval forces on this station, to proceed to the necessary investigation, of the result of which you shall be duly informed.

God preserve you many years.

The Commissioner of His Britannick Majesty.

(Signed)

F. D. VIVES.

Fifth Enclosure in No. 65.

(Translation.)

The Captain-General to W. S. Macleay, Esq.

SIR,

Havana, December 23, 1829.

IN his letter of the 18th instant, the Officer second in command over the naval forces on this station, writes me as follows:—

"Most Excellent Sir,—The Commandant of Registers of this city informs me, in his letter dated yesterday, that, having examined the log-books of the Spanish merchant schooner "Maria," which anchored in this port on the 10th instant, coming from Cadiz and St. Thomas, there appears no proof whatsoever that this mercantile expedition has been employed in the prohibited traffick of Bozal negroes. I now beg to inform your Excellency of this, in answer to your letter of the 15th instant, in which you have been pleased to transcribe an answer which you have made to a communication from the Commissioner of His Britannick Majesty, relative to the Spanish schooner "Maria," coming from St. Thomas."

I now transcribe this for your information, and may God preserve you many years.

The Commissioner of His Britannick Majesty.

(Signed)

F. D. VIVES.

No. 66.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received March 9, 1830.)

MY LORD,

Havana, December 31, 1829.

I HAVE the honour to inform your Lordship, that, on the 28th instant, the Spanish schooner "*Asumpcion*," D. Francisco Aizpeitia, Master, sailed from this port, for the Coast of Africa, and on the 29th, the schooner "*Ligera*," D. Jozé Ramon Zabala, Master.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon the Earl of Aberdeen, K. T.
&c. &c. &c.

No. 67.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received March 9, 1830.)

MY LORD,

Havana, December 31, 1829.

I HAVE the honour to enclose copies of the registers of the slaves, emancipated by decree of this Mixed Commission, during the year 1829.

In the interval between the delivery up of the negroes, by the Captor to the Captain-General, and the issuing of their respective certificates of emancipation, there have died, according to the reports of the Captain General,

On board the Golondrina	-	-	0
the Josefa	-	-	4
the Voladora	-	-	1
the Midas	-	-	73
the Gallito	-	-	0

Total dead - 78

The mortality this year on board slave-vessels has been dreadful, and such as materially to diminish the profit arising from this detestable traffick, of which no more striking instance can be given than the "*Midas*." Out of 562 slaves, this vessel embarked on the Coast of Africa, only 208 lived to receive their certificates of emancipation.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 67.

Abstract of the Register of Negroes emancipated by the Mixed Commission, during the Year 1829.

	Name of Vessel condemned.	Males.	Females.	Total.
1	Golondrina	0	0	0
2	Josefa	124	78	202
3	Voladora, alias Mulata	232	98	330
4	Midas, alias Providencia	112	96	208
5	Gallito	107	28	135
	Total emancipated	575	300	875

No. 68.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received March 9.)

MY LORD,

Havana, January 1, 1830.

I HAVE the honour to state, that 64 despatches from the Havana, have been addressed by me to your Lordship, during the year 1829.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

No. 69

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received March 9.)

MY LORD,

Havana, January 1, 1830.

IN pursuance of the 75th clause of the Act of 5 Geo. IV. cap. 113, I have the honour to lay before your Lordship the return of the cases adjudicated, during the last half year, by this Mixed Commission.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 69.

Return of Cases adjudicated by the Mixed Commission at the Havana, during the Half Year ending 1st of January, 1830.

Date of Seizure.	Property Seized.	SEIZOR.	Date of Sentence.	Decretal part of Sentence, whether Forfeiture or Restitution.	Whether Property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the Proceeds remain.
June 27, 1829	{ Spanish Brig <i>Midas</i> , alias <i>Providencia</i> , with 400 negroes }	{ Lieutenant Joseph Sherer, commanding His Majesty's Schooner <i>Monkey</i> }	July 14, 1829	Forfeiture	{ The schooner, tackle, &c. have all been sold, and nothing remains unsold. The British moiety of the proceeds has been remitted to His Majesty's Principal Secretary of State for Foreign Affairs.
Nov. 16, —	{ Spanish Schooner <i>Gallito</i> , with 136 negroes }	{ Lieutenant Joseph Sherer, commanding His Majesty's Schooner <i>Nimble</i> }	Nov. 26, —	Forfeiture	{ The schooner, tackle, &c. remain for sale by public auction, and at present remain in deposit with D. Jayme Andreu.

(Signed)

W. S. MACLEAY.

No. 70.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received March 9.)

MY LORD,

Havana, January 1, 1830.

ON the subject of the slave-trade of this island, during the year just expired, I am sorry to be under the necessity of making a report, scarcely less deplorable than that, which I had the honour of laying before your Lordship, for the year 1828. The following abstract will show how little this traffick can be said to have diminished.

In the year 1828, there sailed for the Coast of Africa, from this port, according to the list I have the honour to enclose, no less than 63 vessels. Of these only 2, which cleared out for the Canaries, have returned with lawful cargoes. The remainder must be considered as true slave-traders, of which 1 has returned without a cargo, and another, according to report, has been shipwrecked; 3 are said to have been captured on the Coast of Africa, by His Majesty's cruisers, and 1 by the Columbians, while 6 have been condemned by the Mixed Commission at the Havana, and 35 are known to have safely landed their slaves. With the fate of the other 14 I am not acquainted.

In 1829, the number of vessels which cleared out for the Coast of Africa, being 45, was less than during the preceding year, but the number of arrivals, during the same respective periods, has increased from 28 to 33. From the enclosed lists of arrivals and departures, for 1829, it will be seen, that 2 vessels have succeeded in landing 2 cargoes, within the 12 months, and that several have been able to take 2 departures for the Coast of Africa. Of the 45 vessels which have sailed during the year just expired, 9 have already returned, and 1 has been captured by His Majesty's schooner "Nimble."

The decrease that has taken place in the number of departures, is to be attributed, without doubt, to the comparative failure, during the past year, of these illegal expeditions. His Majesty's cruisers appear to have been more than ordinarily successful, on the Coast of Africa, as well as in these seas. The slave-vessels, moreover, which have arrived, have, in general, suffered so much by mortality, as to reduce most considerably the profits of their voyages. From the utter ruin of the Proprietors of small coffee estates, an extraordinary number of slaves have been brought this year into the market; and, finally, a very general bankruptcy has lately taken place among the shopkeepers of the Havana, who, according to the schedules presented to their creditors, appear to have been extensive holders of shares in slave-vessels. These have all been so many causes tending to depress the traffick; and, indeed, the general ruin of the shopkeepers of the Havana, has been, in a very great degree, attributed to their obstinate gambling in the slave-trade. I am truly grieved, however, to be obliged to state, that I cannot consider the traffick to have received the least check, either from the local Government, or the Government at home. On the contrary, the slave-traders feel more than ever convinced, that they will be protected as far as possible.

The Royal Order of the 30th of June last, of which your Lordship was pleased to transmit me a copy, appears, by the number of notorious slave-vessels, which continue to be allowed to sail for the African Coast, never to have produced the slightest effect.

The arrivals of the "*Fama de Cadiz*," the "*Elena*," alias "*La Paz*," the "*Maria*," and the "*Nueva Amalia*," which have been fitted out in the ports of Spain, and the singular proceedings here in the case of the French vessel "*Le Martin*," will not, certainly, tend to discourage a traffick, of which, however, the impolicy ought now to be as manifest as the cruelty. It is my humble opinion, that were Spain really inclined to abolish the slave-trade, she could effect her purpose, so far as regards the inhabitants of this island, with less difficulty than is commonly supposed. An inspection of the various muster-rolls of the vessels condemned by this Mixed Commission, has shown me the truth of what I had long before heard, that not one in 30 of the crew of a slave-vessel is a native of Cuba. In fact, the crews, as well as the most

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notorious fitters out of such expeditions, are Europeans; and although the native planters are, of course, glad to procure slaves at the lowest possible price, yet, I believe, the majority of them would have little objection to sacrifice a temporary profit, to the solid advantage of not having their lives and properties endangered by the unlimited increase of the black population. Their feelings on this last head are sufficiently manifested by the anxiety they have of late shown, to get rid of the emancipated negroes.

On the most effectual means of suppressing the traffick, I have nothing to add, to what His Majesty's Commissioners have already stated to their Government. I venture, however, to assure your Lordship, that it is much to be desired, on every account, that some measures should be adopted, to prevent British subjects, from entering on board Spanish slave-vessels. To allure our ignorant seamen by high wages, seems to be a favourite plan, at present, with the slave-trader, and as many have been trained to arms, on board His Majesty's ships, they may, in some cases, render the resistance of slave-vessels much more desperate.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K.T.

&c.

&c.

&c.

First Inclosure in No. 70.

List of Departures, for the Coast of Africa, from the Havana, during the Year 1828, with results of the Voyages, as far as is known.

	NATION.	CLASS.	NAME of VESSEL.	NAME of MASTER.	Date of Departure.	RESULT of the VOYAGE.
					1828.	
1	Spanish	Schooner	Indagadora - - -	Manuel Fernandez -	Jan. 3	Retd. June —, 1828
2	Ditto	Ditto	Transito - - -	José Rodriguez -	" 16	" July 14, —
3	Ditto	Brig	Vengador - - -	José Garay - - -	" 30	" Aug. 22, —
4	Ditto	Schooner	Primera Gallega -	Franco. Suarez -	Feb. 6	" Oct. 26, —
5	Ditto	Brig	Firme de Cadiz -	Juan Sandrino - -	" 10	{ Condemned at the Havana.
6	Ditto	Ditto	Gallo - - - -	Ramon Gonzalez -	" 10	Retd. Nov. 11, 1828
7	Ditto	Schooner	Dorotea - - -	{ Manuel Santiago } { Echevarria - }	" 10	" June 15, —
8	Ditto	Ditto	Xerxes - - - -	Felipe Rebel - -	" 10	{ Condemned at the Havana.
9	Ditto	Ditto	Josefa - - - -	Juan Casal - - -	" 21	Retd. Sept. 16, 1828
10	Ditto	Brig	Cristina - - -	Franco. de los Reyes	Mar. 6	" Dec. 13, —
11	Ditto	Schooner	Herculina - - -	Andres Cortina -	" 25	" " 7, —
12	Ditto	Ditto	Emprendedor - -	Ramon Clavel - -	" 27	{ Condemned at Sierra Leone.
13	Ditto	Ditto	Missolonghi - -	Juan Larrazabal -	" 27	
14	Ditto	Ditto	Nueva Eloisa - -	Narciso Esteves -	April 9	
15	Ditto	Ditto	Primera - - - -	Domingo Bardier -	" 9	Retd. Nov. 24, 1828
16	Ditto	Ditto	Gallito - - - -	- - - - -	" 14	" Dec. 6, —
17	Ditto	Brig	Recurso - - - -	Juan José Dominguez	" 22	
18	Ditto	Ditto	Nueva Empresa -	Joze S. Juan - -	" 24	
19	Ditto	Brigantine	Aerostatico - -	Franco. Garcia -	May 1	" Oct. 16, —
20	Ditto	Schooner	Viscayna - - -	P. A. de Zaldezondo	" 4	" Dec. 13, —
21	Ditto	Ditto	Tres Manuelas -	Juan Batalla - -	" 15	" Jan. 2, 1829
22	Ditto	Ditto	Juanito - - - -	Manuel Alcantara -	" 15	" Nov. 29, 1828
23	Ditto	Ditto	Graciosa - - -	Juan Casas - - -	" 15	" Feb. 21, 1829
24	Ditto	Ditto	Clio - - - - -	Francisco Maternala	" 15	" Jan. 24, —
25	Ditto	Ditto	Viva (al.) Coqueta	José Garcia - - -	" 15	
26	Ditto	Ditto	Potosi - - - -	Andres Larrazabal -	June 1	" Nov. 12, 1828
27	Ditto	Ditto	Manuelita - - -	José Bosch - - -	" 18	" Mar. 10, 1829
28	Ditto	Brig	Juan - - - - -	Ramon Nozedal -	" 18	
29	Ditto	Ditto	Almirante - - -	Andres Inzua - -	" 18	{ Captured on the Coast of Africa.
30	Ditto	Schooner	Nueva Campeadora	Gaspar Prat - -	" 18	{ Said to have been shipwrecked near Matanzas, only 19 negroes saved.

(continued.)

First Inclosure in No. 70, (continued.)

No.	NATION.	CLASS.	NAME of VESSEL.	NAME of MASTER.	Date of Departure.	RESULT of the VOYAGE.
31	Spanish	Brig	Coradino - - -	Franco. de la Casa -	1828. July 1	
32	Ditto	Schooner	Pantica - - -	Miguel Romero Viga	" 1	Retd. April 11, 1829
33	Ditto	Ditto	Indagadora - - -	Manl. Dias de Medina	" 1	" Dec. 7, 1828
34	Ditto	Ditto	Georgiana - - -	Domingo Borell -	" 15	
35	Ditto	Ditto	Favorita - - -	Anto. Betancourt -	" 28	
36	Ditto	Ditto	Segun el Tiempo -	Jozé Escardo - -	" 28	" April 10, 1829
37	Ditto	Ship	Amistad - - -	Manuel Gonzalez -	Aug. 1	{ These two vessels cleared out for the Canaries, and appear to be engaged in lawful trade.
38	Ditto	Brig	Triton Palmero -	Antonio Gonzalez -	" 1	
39	Ditto	Schooner	Golondrina - - -	Antonio Carabajal -	" 1	{ Condemned at the Havana.
40	Ditto	Ditto	Balzain - - -	Roque Quintana -	" 1	{ Captured by the Columbians.
41	Ditto	Ditto	Triple Union - -	Santiago Manzana -	" 1	
42	Ditto	Ditto	Repetidora - - -	Felipe Dominguez -	" 13	Retd. Feb. 10, 1829
43	Ditto	Ship	Veloz Pasagera -	Jozé de la Vega -	" 25	{ Reported to be captured on the Coast of Africa.
44	Ditto	Schooner	Cubana (al) Marinera	Antonio Zavala -	Sept. 18	
45	Ditto	Ditto	Transito - - -	Jozé Rodriguez -	Oct. 2	Retd. Feb. 19, 1829
46	Ditto	Ditto	Voladora (al) Mulata	Bonifacio Echelacu	" 2	{ Condemned at the Havana.
47	Ditto	Ditto	Constancia - - -	Joaquin Bergallo -	" 2	Retd. July 30, 1829
48	Ditto	Brig	Ricardo - - -	Marcellino Moran -	" 2	{ Returned without slaves, Nov. 25, 1829.
49	Ditto	Ship	Fama de Cadiz -	Jozé Anto. Salcedo	" 2	Retd. July 22, 1829
50	Ditto	Schooner	Amistad - - -	Manuel Fernandez -	" 5	" May 21, —
51	Ditto	Ditto	Josfa (al.) Fortuna	Ramon Casal - -	" 11	{ Condemned at the Havana.
52	Ditto	Brig	Segunda Teresa -	Saturnino Escall -	" 12	
53	Ditto	Schooner	Constanza - - -	Antonio Moniel -	Nov. 1	Retd. Sept. 21, 1829
54	Ditto	Ditto	Aerostatica - - -	Pedro Manegal -	" 1	" April 11, —
55	Ditto	Brig	Panchita - - -	Jozé Zuloaga - -	" 10	Returned.
56	Ditto	Ditto	{ Midas (al.) Pro- videncia - - - }	Ildefonso Martinez	" 25	{ Condemned at the Havana.
57	Ditto	Schooner	Mercedita - - -	Vicente Sancho -	Dec. 4	Retd. June 30, 1829
58	Ditto	Ditto	Primera Gallega -	Francisco Cabieses	" 4	" May 30, —
59	Ditto	Ditto	Potosi - - -	Anto. Larrazabal -	" 8	" July 4, —
60	Ditto	Brig	Servando - - -	Santiago Echevarria	" 8	" Aug. 22, —
61	Ditto	Schooner	Veloz - - -	F. A. Sarria - -	" 13	
62	Ditto	Brig	Vengador - - -	Agustin Capera -	" 24	" " 28, —
63	Ditto	Schooner	Indagadora - - -	Ildefonso Garcia -	" 27	" July 20, —

ABSTRACT.

Returned without Slaves - - -	1
Returned and landed Cargoes - - -	35
Condemned at the Havana - - -	6
Said to be captured on the Coast of Africa -	3
Engaged in lawful trade to the Canary Islands -	2
Captured by Columbians - - -	1
Shipwrecked - - -	1
Unknown result - - -	14
Total - - -	63

Second Enclosure in No. 70.

List of Departures from the Havana, for the Coast of Africa, during the Year 1829, with the result of the Voyages, as far as is known.

N ^o .	Date of Departure.	NATION.	CLASS.	NAME.	MASTER.	REMARKS.
	1829.					
1	Jan. 13	Spanish	Schooner	Juanita - - - -	Santiago Alonzo -	Retd. July 20, 1829
2	Feb. 1	Ditto	Brig	Doris - - - -	Juan Bautista Arrati	" Sept. 26, —
3	" 1	Ditto	Schooner	Primera - - - -	José Benito Pardo -	" July 12, —
4	" 1	Ditto	Ditto	Viscayna - - - -	José A. Balandra.	
5	" 5	Ditto	Ditto	{ Loreto (al.) Coru- ñesa - - - }	Felipe Basagoyti -	" Aug. 1, —
6	" 6	Ditto	Ditto	Herculina - - - -	Franco. de la Casa.	
7	" 12	Ditto	Ditto	Tres Manuelas - -	Victoriano Laguna.	
8	" 18	Ditto	Ditto	Gallito - - - -	Franco. Garcia -	{ Condemned at the Havana.
9	" 22	Ditto	Brig	Rapido - - - -	Antonio Cortina.	
10	" 22	Ditto	Ditto	Cristina - - - -	Joaquin Rodriguez.	
11	Mar. 6	Ditto	Ditto	Pajarito - - - -	José Villanueva -	Retd. Oct. 4, 1829
12	" 6	Ditto	Schooner	Repetidora - - -	{ José Fernandez de la Vega.	
13	" 8	Ditto	Ditto	Transito - - - -	Franco. Galloso -	" Sept. 30, —
14	" 28	Ditto	Ditto	Segunda Gallega -	Juan José Pequeño.	
15	April 1	Ditto	Ditto	{ Ligera (al.) In- trepida - - }	José Ramon Zavala	" Nov. 7, —
16	" 1	Ditto	Ditto	{ Clarita (al.) Cen- tella - - }	José Rodriguez.	
17	" 1	Ditto	Ditto	Fenix - - - -	Franco. de la Torre.	
18	May 1	Ditto	Ditto	Pronta - - - -	Fortunato Romero -	" Oct. 8, —
19	" 1	Ditto	Ditto	Aerostatica - - -	José Maury.	
20	" 2	Ditto	Ditto	Prueba - - - -	Juan Martinez.	
21	" 31	Ditto	Ditto	Manuelita - - - -	Domingo Bardier.	
22	June 1	Ditto	Brigantine	Marinerito - - -	{ Domo. Anto. de Castro.	
23	" 1	Ditto	Schooner	Pantica - - - -	Antonio Pulles.	
24	" 1	Ditto	Ditto	Segun el tiempo -	José Cando y Casas.	
25	" 14	Ditto	Ditto	Planeta - - - -	Pedro Manejas.	
26	" 14	Ditto	Ditto	Amistad Habanera -	Antonio Urquijo.	Retd. Nov. 24, —
27	" 24	Ditto	Brig	Aguila - - - -	Mariano Carbo.	
28	July 21	Ditto	Schooner	Primera Gallega -	Franco. Cabieses.	
29	Aug. 10	Ditto	Ditto	Primera - - - -	Gabriel Perez.	
30	" 12	Ditto	Ditto	Potosi - - - -	Juan Bautista Zavala.	
31	" 18	Ditto	Ditto	Tentativa - - - -	J. M. Aurteneche.	
32	" 31	Ditto	Brig	Manzanares - - -	Manuel Alcantara.	
33	" 31	Ditto	Schooner	{ Loreto (al.) Coru- ñesa - - }	Miguel de la Vega.	
34	Sept. 15	Ditto	Ditto	Indagadora - - -	Juan José Rodriguez	
35	Oct. 7	Ditto	Brig	Venjador - - - -	Agustin Capera.	
36	" 18	Ditto	Ditto	Servando - - - -	Franco. Saenz.	
37	" 18	Ditto	Schooner	Barbarita - - - -	Gaspar Prats.	
38	" 26	Ditto	Brig	Maria - - - -	Ildefonso Garcia.	
39	" 26	Ditto	Schooner	Transito - - - -	José Vicente Torres	
40	Nov. 5	Ditto	Ditto	Iberia - - - -	Antonio Mancebo.	
41	Dec. 1	American	Ditto	William Gardner -	W. F. Hill - - -	{ Sailed from Ga- linas with 1 passenger.
42	" 3	Spanish	Ditto	Urraca - - - -	{ José Fernando de la Vega.	
43	" 17	Ditto	Ditto	Amistad Habanera -	Juan Bauta. Arrati.	
44	" 28	Ditto	Ditto	Asumpcion - - - -	Franco. Azpeitia.	
45	" 29	Ditto	Ditto	{ Ligera (al.) Intre- pida - - }	José Ramon Zavala	

Third Enclosure in No. 70.

List of Arrivals of Slave-Vessels, at the Havana, during the Year 1829.

№	NATION.	CLASS.	DATE of ARRIVAL.	NAME of VESSEL.	NAME of MASTER.	REMARKS.
			1829.			
1	Spanish	Schooner	Jan. 2	Tres Manueles -	Juan Batalla -	{ Landed 480 negroes near Jcruca.
2	Ditto	Ditto	" 24	Clio - - - -	Francº. Matemala.	
3	Ditto	Ditto	Feb. 19	Transito - - -	Pablo Gonzalez.	
4	Ditto	Ditto	" 21	Graciosa - - -	Juan Casas.	
5	Ditto	Ditto	Mar. 10	Manuelita - - -	Jozé Bosch.	
6	{ French under Dutch colours }	Brig	" 12	Le Martin - - -	Denis de Trobriant -	{ Landed her slaves at St. Jago de Cuba; and afterwards arrived at Matanzas.
7	Spanish	Schooner	April 10	Segun el tiempo -	Jozé Escardo.	
8	Ditto	Ditto	" 11	Aerostatica - - -	Pedro Manegal.	
9	Ditto	Ditto	" 11	Pantica - - - -	Miguel de la Vega.	
10	Ditto	Ditto	May 21	Amistad Habanera -	Manuel Fernandez.	
11	Ditto	Ditto	" 30	Gallega - - - -	Francº. Cabieses.	
12	Ditto	Ditto	June 30	Mercedita - - -	Vicente Sancho.	
13	Ditto	Ditto	July 4	Potosí - - - -	Andres Larrazabal.	
14	Ditto	Ditto	" 12	Primera - - - -	Jozé Pardo.	
15	Ditto	Ditto	" 20	Indagadora - - -	Ildefonso Garcia.	
16	Ditto	Ditto	" 20	Juanita - - - -	Santiago Alonzo.	
17	Ditto	Ship	" 22	{ Fama de Cadiz } { (al.) Nueva Diana }	Jozé Antº. Salcedo	
18	Ditto	Schooner	" 30	Constancia - - -	Francº. Garcia.	
19	Ditto	Ditto	Aug. 1	Loreto (al.) Corufiesa	Francº. de Abarroa.	
20	Ditto	Brig	" 22	Servando - - - -	Manº. de Santiago.	
21	Ditto	Schooner	" 27	Elena (al.) La Paz	Manº. Prendes Hevia	
22	Ditto	Brig	" 28	Vengador - - - -	Agustin Capera.	
23	Ditto	Schooner	Sept. 21	Constancia - - -	Antonio Ferrer.	
24	Ditto	Brig	" 25	Restauracion - -	— Felice - - -	{ This vessel was not fitted out from the Havana.
25	Ditto	Ditto	" 26	Doris - - - -	Francº. de Inza.	
26	Ditto	Schooner	" 30	Transito - - - -	{ Jozé Guillermo } { Salgada.	{ Landed her slaves at Santiago de Cuba.
27	Ditto	Brig	Oct. 4	Pajarito - - - -	Juan Vicente Torres	
28	Ditto	Schooner	" 8	Pronta - - - -	Fortunato Romero.	
29	Ditto	Ditto	Nov. 7	Ligera (al.) Intrepida	Jozé Ramon Zavala.	
30	Ditto	Ditto	" 24	Amistad Habanera -	Dionisio Urquijo -	{ Returned without slaves.
31	Ditto	Brig	" 25	Ricardo - - - -	Marcellino Moran -	
32	Ditto	Ditto	Dec. 7	Nueva Amalia - -	Francº. Granell -	{ Fitted out from Barcelona.
33	Ditto	Schooner	" 10	Maria - - - -	Francº. Romero -	{ Fitted out from Cadiz.

No. 71.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received March 9.)

MY LORD,

Havana, January 13, 1830.

I HAVE the honour to enclose a translation of the final answer I have received from the Captain-General, respecting the "*Nueva Amalia*." I have

since received a similar answer in the case of the Spanish schooner "*Pantica*," D. Antonio Pullis, Master, which arrived in this port on the 1st instant, after having landed a cargo of slaves on the coast.

The schooner "*Maria*," which arrived on the 10th ultimo, sailed again for the Coast of Africa, on the 11th instant, under the command of D. Jozé Rodriguez.

I have, &c.

(Signed.)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 71.

(Translation.)

The Captain-General to W. S. Macleay, Esq.

SIR,

Havana, January 7, 1830.

IN his letter of the 5th instant, the Officer second in command over the naval forces on this station, writes me as follows:—

"Most Excellent Sir,—The Commandant of Registers of this island informs me, in a letter dated to day, that having examined the log-books of the Spanish brig "*Nueva Amalia*," which anchored in this port on the 7th ultimo, after a voyage from Barcelona and San Tomas, he finds no proof of this mercantile expedition having been concerned in the prohibited traffick of negroes. This information I now transcribe for your Excellency, in answer to your letter of the 15th ultimo, in which you have been pleased to enclose to me, the answer you made to a letter of the Commissioner of His Britannick Majesty, having reference to this said brig "*Nueva Amalia*."

I now transmit this for your information, and may God preserve you many years.

The Commissioner of His Britannick Majesty.

(Signed) F. D. VIVES.

No. 72.

W. S. Macleay Esq. to the Earl of Aberdeen.—(Received March 9.)

MY LORD,

Havana, January 30, 1830.

ON the 16th instant the slave schooner "*Herculina*," D. Francisco Torralvo, Master, arrived here from the Coast of Africa; also, on the 19th, the schooner "*Aerostatica*," D. Manoel Aldecoa, having landed her slaves at Santiago de Cuba; and, on the 21st, the large brig "*Marinerito*," D. Juan Tobares, Master, which is said to have landed no less than 560 slaves on the north coast of the island.

With respect to the "*Herculina*" and "*Marinerito*," I have received from the Captain-General the usual form of letter, stating that nothing implicating them in the prohibited traffick is to be found in their papers. On the subject of the "*Aerostatica*," his Excellency's answer being somewhat different; I have the honour to enclose a translation.

I have the honour to be, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 72.

(Translation.)

The Captain-General to W. S. Macleay, Esq.

SIR,

Havana, January 29, 1830.

IN his letter of yesterday, the Officer second in command over the naval forces on this station, writes me as follows:—

"Most Excellent Sir,—The Commandant of the Registers of this province informs me, in his letter, dated the 22d. instant, that the Spanish merchant schooner "*Aerostatica*," which sailed for the Islands of Principe and St. Thomas, on the 28th of April last, under the command of D. Jozé Mauri, returned to this port on the 18th instant from Cuba, and with a new Captain, D. Manuel Aldecoa, who has delivered up his log-book for the voyage, from the said port of Cuba to the Havana, stating, at the same time, that the Captain and crew, who brought the vessel to Cuba, have remained there, and that he is only responsible for the voyage, which he has taken charge of to this port. In consequence of this, the Commandant of Registers says, that he is ignorant of the events that may have occurred in the voyage to the abovementioned islands. And I now have to inform your Excellency, that

I have written to the Military Commandant of the Province of Cuba, directing him to investigate the log-books and other papers of the said vessel, which relate to her voyage from the Islands of Principe and St. Thomas; and this I beg leave to state to your Excellency, by way of provisional answer to the despatch, dated yesterday, in which you have been pleased to transcribe the note, of the same date, which the British Commissioner addressed to your Excellency, on the subject of the "*Aerostatica*."

I now transcribe the above for your information, and may God preserve you many years.

The Commissioner of His Britannick Majesty.

(Signed) F. D. VIVES.

No. 73.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, April 24, 1830.

I HAVE to transmit to you, for your information, and for any observations which you may have to submit thereupon, for the consideration of His Majesty's Government, the accompanying copy of a despatch,* and of its enclosures, from His Majesty's Envoy at Madrid, containing the refusal of the Government of His Catholick Majesty to accede to the proposition, which was renewed to them, for the conclusion of an article, whereby ships fitted up evidently for the purposes of illegal slave-trade, should thereby be liable to confiscation, but adding a Royal order, under date of the 4th of March 1830, addressed to the Captains-General of Cuba and Puerto Rico, and purporting to enjoin, that the Articles of the Treaty of 1817, shall in future be rigourously observed.

I am, &c.

(Signed) ABERDEEN.

His Majesty's Commissioners.

* Mr. Addington, March 8, 1830.—See Class B.

No. 74.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received April 26.)

MY LORD,

Havana, February 20, 1830.

ON the 4th instant arrived in this port, the large slave-brig "*Aguila*," commanded by Mariano Carbo, and on the 5th the schooner "*Prueba*," commanded by Juan Martinez. I have received from the Governor the customary form of answer, respecting both these vessels, as well as respecting the schooner "*Primera*," D. Canuto Diaz, Master, which arrived here on the 13th instant, after landing a cargo of slaves.

I am, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 75.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received April 26.)

MY LORD,

Havana, February 24, 1830.

I HAVE the honour to acknowledge the receipt^d of your Lordship's despatches, of the 18th November and 7th of December last, with their respective enclosures, on the subject of the British sailors who may be implicated in the slave-trade; and I beg leave to state, that, in obedience to your Lordship's commands, I shall afford all the aid in my power, to any course of proceeding that the British Admiral on this station may adopt, with respect to the 5 men found on board the "*Midas*."

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 76.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received May 1.)

MY LORD,

Havana, March 2, 1830.

ON the 22d ult. 2 schooners took their departure for the Coast of Africa, namely, the "*Aerostatica*," commanded by Manuel Aldécoa, and the "*Barbarita*," commanded by Salvador Felice; and yesterday sailed for the same destination, another notorious schooner, called "*Pajarito*," D. Fortunato Romero, Master.

On the 16th ultimo, the schooner "*Planeta*," D. Pedro Manegat, arrived in this harbour, in ballast, as did the schooner "*Segun el Tiempo*," D. Jozé Escardo, Master, on the 22d ult.; the brig "*Marinero*," D. Manuel Izquierdo, on the 23d ult.; and the schooner "*Potosi*," D. Juan Bantista Zavala, on the 26th ult. All these vessels, having previously landed slaves on the coast, were duly reported by me to the Governor; but his Excellency has been pleased to return, in each case, the usual answer,—that nothing has been found in their log-books to criminate them.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 77.

W. S. Macleay, Esq. to J. Backhouse, Esq.—(Received May 1.)

SIR,

Havana, March 4, 1830.

ON considering the circumstances attending the capture of the 5 British subjects on board the slave-vessel "*Midas*," and their being ordered for immediate trial to England, I think it possible that Admiral Fleeming may not deem it necessary to apply to me, for more evidence than what he himself can furnish, by the testimony of the officers and crew of the capturing vessel. As I know, however, the necessity of going into Court with the case for the prosecution being made as clear as possible, and, moreover, the inconvenience of any further loss of time, I take the liberty of enclosing a duly certified copy of the muster-roll of the "*Midas*," that is, of the paper which first induced me to desire Lieutenant Sherer to ascertain how many British subjects were on board the vessel. It is a paper of importance, inasmuch as it shews, that British subjects did embark at the Havana, on board an armed slave-vessel, bound for the Island of St. Thomas, on the Coast of Africa. The names, indeed, with the exception of Francis Jozé, do not agree with those which I believe to be the real names of the 5 British subjects found on board; but it is clear, that the names in the muster-roll of the persons, whose domiciles are stated to be Ireland, Baltimore, Portland, and New York, are not English names, and, therefore, we may fairly presume, that the persons, (whether Englishmen or Americans) there alluded to, entered on board the "*Midas*" under fictitious names, a circumstance which goes far to prove a guilty knowledge on their part of what they were about.

Although the list of names is, in fact, the only part in this document, of any importance in the prosecution of these 5 men, I have thought it best to let His Majesty's Government have it entire, and certified by the Secretary of the Mixed Commission, as the recognized and duly sworn keeper of our archives. Knowing, however, that human life may, in some degree, depend on this document, I have myself carefully collated the copy with the original, and, with the exception of the letter V in the name *Guillermo Vil* of the copy, being, in my opinion, an N in the original, I consider it to be a perfectly correct copy. This discrepancy indeed, is of little consequence, and the awkward manner in which the names are written, makes it impossible to ascertain which is the correct mode of reading the name in question.

I have only further to observe, that the muster-roll is the only paper of the "*Midas*" that makes any mention of the names of her crew.

I have, &c.

(Signed)

W. S. MACLEAY.

John Backhouse, Esq.

&c. &c. &c.

Enclosure in No. 77.

(Translation.)

Muster-Roll of the "Midas."

PROVINCE OF HAVANA.

I, DON JOZÉ DE ALCALA Y GUERRA, Knight, decorated with the Cross and Insignia of the Royal and Military Order of St. Hermenegild, Captain of the Royal Navy, and Principal Commandant of the Registers of this ever faithful Island of Cuba, do, by this present, grant a license to Don Ildelfonso Martinez, Captain of the brig "*Midas*," of 205 tons burden, to enable him to undertake a voyage from this port to that of St. Thomas, with 67 mariners, whose ranks, names, and native countries, are stated hereunder:—

Rank.	Names.	Country.
Captain and Master's Mate.	The above Martinez	Cartagena.
Actual Master	Don Gabriel Galan	Navarra.
Third Master's Mate	Don Juan Antonio Suntacha	Biscay.
Supernumerary	Don Joaquin Bravo	Galicia.
Ditto	Don Antonio Corme	Asturias.
Ditto	Don Jozé Domingo Novoa	Cartagena.
Boatswain	Juan Espinosa	Cartagena, in Spain.
Second Boatswain's Mate	Joaquin Pico	Barcelona.
Third ditto	Jelmo Ruyol	Majorca.
Carpenter	Jozé Pastrana	Port Royal.
Gunner	Ferdinand Reyes	Cartagena, in Spain.
Cooper	Cayetano Llorente	Barcelona.
Steward	Franco. Salar	Santander.
Cook	Antonio Alberto	Genoa.
Cook's Mate	Franco. Jozé	Jamaica.

SAILORS.—(ABLE SEAMEN.)

Names.	Country.	Names.	Country.
Francisco Agustin	Manilla.	Jozé Enrique	Maracaybo.
Martin Fernand	San Pedro de Arena.	Bernardo Tunell	Mahon.
Bartolome Marnez	Almasardel.	Pedro Llorente	Tarragona.
Franco. Onder	Bilbao.	Franco. Gonzale	Canary Islands.
Felipe Marino	Galicia.	Pedro Martinez	Tarragona.
Vicente Villar	Galicia.	Jozé de Arango	Braga.
Antonio Fernandez	Vivero.	Jozé Vidal	Vigo.
Andres de la Peña	Cadiz.		

ORDINARY SEAMEN.—(STRIPLINGS.)

Names.	Country.	Names.	Country.
Jozé Difeo	Cadiz.	Juan Roiz	Tortosa.
Marcelino Ferrol	Cartagena, in Spain.	Manuel Baquer	Cadiz.
Antonio Bahamonde	Valencia.	Franco. Garcia	Cartagena, in Spain.
Bernardo Manuel	Santander.	Juan Bujeda	Caracas.
Bernardo Salas	Majorca.	Jozé Silva	Viana.
Vicente Serra	Teneriffe.	Alfonso Bonavides	Cadiz.
Jozé Maria España	Santander.	Manuel Gomez	Port St. Mary.
Felipe Gomez	Corunna.	Gillermo Vil	Sweden.
Juan Marrel	Teneriffe.	Alexander Martinez	Baltimore.
Pablo Ferrer	Iviga.	Juan Mott	Ireland.
Antonio Collado	Malaga.	Tomas Bral	Baltimore.
Telesforo Fabian	Manilla.	Pedro Mot	Poland.
Jozé Badió	Quesada.	Juan Pacad	Ireland.
Manuel Silva	Lisbon.	Andres Calle	New York.
Manuel Morales	Isla de Leon.	Juan Bonis	Denmark.
Juan de la Rosa	Canary Islands.	Cayetano Ignacio	Corunna.
Juan Benito	Port St. Mary.		

BOYS.

Names.	Country.	Names.	Country.
Francisco Soto	Dasponte.	Andres Chavarri	Vigo.
Jozé Casanova	Ferrol.	Jozé Dias	Canary Islands.

Surgeon.....Don Francisco Cano, Jaen.

Seven Superior Officers,—9 Warrant Officers,—15 able seamen,—33 ordinary seamen,—4 boys.
Total 68:—according to the muster when the brig sailed from the Havana, 1828.

Precautions to be attended to by the Captains and superior Officers on board Spanish Merchant Ships belonging to the Isle of Cuba.

I enjoin to the Captains and superior Officers, as their paramount duty, good government, proper conduct, and prudent management, so as to set the example of harmony and circumspect behaviour. When obliged to reprimand and punish, they will keep within the bounds of prudence and regularity; for violence and indecorum irritate men's minds, and instead of preventing disorders, lead to fresh ones. They ought to be mindful, that blind obedience in inferiors becomes irksome when superiors enforce it, after living with the former upon too familiar a footing. No vessel shall depart from her respective province, without having entered into a formal contract with her crew, and giving notice of it to the Notary of the Marine. It is in cases of short coasting trips, alone, that this agreement may be drawn up by the parties concerned among themselves, the crew signifying their consent formally, under their own hands; whereupon the document must without fail be sent to the respective Commandant of the Province to receive his approbation. The Captains will exert their utmost care that no frauds against the King's revenue shall be committed on board their vessels; for if any contraband article should be seized there, the parties will understand that they lose all right of reclaiming it. As to any crimes, of whatever description, committed on the high seas, on the coasts, or in ports, on board larger or smaller vessels, let the Captain take notice, that the cognizance of such belongs exclusively to the Tribunals of the Marine, without whose interposition he is not to allow any accommodation or detention, or any act of jurisdiction, as far as the competency of the Spanish Marine Courts extends. Furthermore, the Captain shall not carry on board any passenger, without entering his name in the muster-roll, though such passengers may be provided with passports from Governors or other Authorities.

The 68 individuals above-mentioned are those, which have been presented to me, as forming the crew of the said vessel, and they shall have permission to perform the voyage without interruption. On their return, the same persons shall be obliged to attend, and shall exhibit the present licence, in which shall be certified their arrival and departure, at and from the ports at which they may touch, by the different Military and Naval Authorities, as well as any remarkable occurrences relating to the crew in question. All which is to be observed by the above Captain, lest he incur the penalties specified in the Royal Ordinances, and the Cédulas of His Majesty.

Havana, November 22, 1828.

JOSE DE ALCALA.

Armament merely for the requisite defence of the Vessel:—

4 carronades, 18-pounders; 4 guns, 10 pounders; 37 muskets; 32 pistols; 31 cutlasses; 20 boarding-pikes, with the necessary ammunition.

The above is a copy of the original muster-roll, appended to folio 25 of the proceedings instituted respecting the detention of the Spanish merchant-brig "*Midas*," with a cargo of negroes, by the "*Monkey*," English armed schooner, which proceedings are deposited in my office, as I herewith certify, and of which I have had a copy taken in four leaves, including the present, all marked with my initials, in my own hand-writing, to be delivered to His Britannick Majesty's Commissary of Arbitration.

(Signed)

JUAN FRANCº. CASCALES, Secretary.

Havana February 27, 1830.

Which Signature is verified by Mr. Macleay.

No 78.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received May 1.)

MY LORD,

Havana, March 17, 1830.

ON the 1st instant, sailed for the Coast of Africa, the schooner "*Pajarito*," D. Fortunato Romero, Master; and on the 7th instant, the schooner "*Marinerito*," D. Antonio Pulles, Master; and the schooner "*Asturiana*," D. José Dordal, Master.

On the 2d instant, 2 schooners arrived in this port, after having landed their cargoes of slaves on the coast, viz. the "*Fentativa*," D. José Maria Aurteneche, Master; and the "*Segunda Gallega*," D. José Gonzalez, Master. I have received the customary answer from his Excellency the Captain-General, respecting these vessels, announcing, that nothing has been found in their log-books to implicate them in the prohibited traffick.

I beg leave to enclose a copy of a note, which I have received from his Excellency, relative to the "*Acrostatica*," which, as I had the honour of stating to your Lordship in my despatch of the 30th ult., landed her slaves at Santiago de Cuba.

The Captain-General has likewise informed me, that it having appeared that the schooner "*Amistad Habanera*," mentioned to your Lordship in my despatch of the 30th of November last, had, previously to coming into the Havana, been at Santiago de Cuba, enquiries were made of the Commandant of Registers at the last-mentioned port, as to the state of her papers when she arrived there, which Officer answered, that he had examined her papers, with

strict reference to the Royal Order of the 2d of January 1826, and had found not the slightest proof of her having been engaged in the illicit traffick. However this may be, I beg to assure your Lordship, that 2 more notorious slave-vessels than the "*Aerostatica*" and "*Amistad Habanera*" do not sail from the Port of the Havana, and that, at this present moment, they are both on the Coast of Africa, the "*Amistad*" having sailed from the Havana on the 17th of last December, and the "*Aerostatica*" on the 22d of February last.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 78.

(Translation.)

The Captain-General to W. S. Macleay, Esq.

SIR,

Havana, March 15, 1830.

IN his letter of the 13th instant, the Officer second in command over the naval forces on this station, writes me as follows:—

"Most Excellent Sir,—The Military Commandant of Registers of the Province of Cuba, thus writes me, under date of the 16th ultimo:—'In answer to your letter of the 31st ultimo, in which you are pleased to transcribe for me the letter addressed to you by the Principal Commandant of Registers, relative to the arrival in this port of the Spanish schooner "*Aerostatica*;" I have, in the first place, to inform you, that I permitted D. Manuel Aldecoa to replace D. José Maury as Captain, because this Officer was sick, and has his family resident in this city, it appearing to me but proper not to risk the life of a man in his state of health, and who might with justice have protested against me if I had acted otherwise. As to the Royal Order of the 2d. January 1826, which you call to my attention, never having lost sight of a punctual fulfilment of it, I made the most severe examination of the papers of the vessel, and found in them not the slightest cause to suspect, that she had been employed in the prohibited traffick of negroes. I likewise have to inform you, that, on the arrival of the said vessel in this port, the crew claimed the payment of their wages then due, as also did the Captain, on account of his bad health and remaining on shore. The Consignee of the vessel acceded to the demand, not being aware that the object of the crew, in demanding their wages, was to desert, as in fact the greater number have done; and I regret to state, that, as in the case of the "*Amistad Habanera*," notwithstanding the most diligent research, I have not been able to apprehend any of the deserters.' I now transcribe this, with reference to your Excellency's letter of the 26th January last, and my provisional answer, of the 28th of the same month, relative to this vessel."

I now beg to transmit you the above for your information, and may God preserve you many years.

The Commissioner of His Britannick Majesty.

(Signed) F. D. VIVES.

No. 79.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, May 7, 1830.

YOUR despatches of this year's series, up to that of the 20th of March last, have been received, together with your letter of the 4th of March last, transmitting a copy of the muster-roll of the "*Midas*."

I herewith transmit to you the copy of a communication which has been received at this Office from His Majesty's Treasury, by which you will perceive that the 5 British subjects who were found on board the "*Midas*," were in confinement on board of one of His Majesty's ships at Jamaica, at which place it was intended that they should be brought to trial.

I am, &c.

His Majesty's Commissioners.

(Signed)

ABERDEEN.

Enclosure in No. 79.

The Hon. J. Stewart to J. Backhouse, Esq.

SIR,

Treasury Chambers, December 17, 1829.

I AM commanded by the Lords Commissioners of His Majesty's Treasury to transmit to you, for the information of the Earl of Aberdeen, with reference to the letter of this Board of the 28th

ultimo, the enclosed copies of a letter from the Secretary to the Admiralty, and of a further report from Mr. Rothery, dated the 5th instant, respecting the 5 British seamen, seized on board the Spanish slave-ship "*Midas*;" and I am to acquaint you, that my Lords have signified their approval of the orders given by the Board of Admiralty in this case.

I am, &c.

John Backhouse Esq.
&c. &c. &c.

(Signed)

J. STEWART,

First Sub-Enclosure in No. 79.

J. Barrow, Esq. to G. R. Dawson. Esq.

SIR,

Admiralty-Office, November 26, 1829.

HAVING laid before the Lords Commissioners of the Admiralty, your letter of the 21st instant, with its enclosure, respecting the seizure and condemnation, at Havana, of the Spanish slave-brig "*Midas*," with 5 British subjects on board; I have it in command to acquaint you, for the information of the Lords Commissioners of His Majesty's Treasury, that my Lords have had this subject under consideration, in consequence of a communication from the Earl of Aberdeen, and on the 7th instant, gave directions to Vice-Admiral the Hon. Charles Elphinstone Fleming, to cause the 5 British subjects, found amongst the crew of the Spanish slave-ship "*Midas*," and any other British seamen found under similar circumstances, to be delivered to the Civil Authorities of the nearest British Colony which may be in possession of a Commissioner, under the Act 46 Geo. III. in order to their being brought to punishment, in case His Majesty's Principal Secretary of State for the Colonial Department, shall, in the exercise of his discretion, think fit to direct proceedings to be instituted against them, conformably with the Acts of the 5th Geo. IV. cap. 113, intituled "An Act to amend and consolidate the Laws relating to the abolition of the Slave-trade." And a communication was, at the same time, made to the Foreign and Colonial Departments respectively.

I have it further in command to request, that you will move their Lordships to inform this Department, whether they wish different orders on this subject to be now given to the Vice-Admiral.

I am, &c.

G. R. Dawson, Esq.

(Signed)

JOHN BARROW.

Second Sub-Enclosure in No. 79.

Mr. Rothery's Report.

To the Right Honourable the Lords Commissioners of His Majesty's Treasury.

MAY IT PLEASE YOUR LORDSHIPS,

IN obedience to your Lordships' commands, I have perused and considered the annexed letter from the Secretary to the Admiralty, transmitted in Mr. Stewart's letter of this day's date, respecting the 5 British seamen seized on board the Spanish slave-ship "*Midas*."

And, with reference to my report to your Lordships, of the 10th ultimo, I do further, most humbly, report, that it did not appear from any of the documents which had been then transmitted to you, that either His Majesty's schooner "*Monkey*," or the 5 British seamen in question, who were then at the Havana, were about to be sent to any British Colony in the West Indies. From the information I have since received, it now appears, that these men are in confinement on board one of His Majesty's ships, under the command of Vice-Admiral the Hon. C. E. Fleming, at Jamaica.—I am, therefore, humbly of opinion, that it would be more advisable that they should be proceeded against in that island, under the Commission established in that colony, and consequently, the directions, given by the Lords Commissioners of the Admiralty, appear to me to be proper to be acted upon.

All of which is, &c.

(Signed)

WM. ROTHERY.

Vernon-Place, Bloomsbury-Square, December 5, 1829.

No. 80.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received May 27.)

MY LORD,

Havana, April 6, 1830.

THE Spanish brig "*Rapido*," D. Juan Antonio Cortina, Master, arrived here on the 16th ult., and the schooner "*Manuelita*," D. Domingo Vardier, Master, on the 24th ult., and the schooner "*Gallega*," D. Francisco Cabieses, Master, on the 7th instant. All these 3 vessels having, previously to their arrival, landed negroes on the coast, I addressed the usual communication to the Captain-General, informing him, that it would be my duty to report them

to your Lordship, and I have received from his Excellency an assurance, that, on the examination of their respective log-books, no proof exists to implicate them in the prohibited traffick.

The brig "*Rapido*" sailed from this port on the 22d of February last year, but whether she be identical with the brig "*Rapido*," alias "*San Pedro*," mentioned in your Lordship's despatch of the 19th of August last, I have not been able to ascertain, from not having the name of the Master, under whose command this last vessel sailed from Cadiz. Although the "*Rapido*," now arrived, cleared out from this port for the Island of St. Thomas, it is very possible that she may have called at Cadiz, in order to complete the assortment of her cargo for the African market.

On the 4th instant, the "*Segunda Gallega*," D. Santiago Manzana, sailed again for the Coast of Africa.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. The Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 81.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, June 28, 1830.

I HAVE received, and have transmitted to the Admiralty, your letter to Mr. Backhouse, of the 4th of March last, together with its enclosure, being a copy of the muster-roll of the "*Midas*;" and I have now to transmit to you, for your information, the accompanying copy of the answer, which has been returned by the Admiralty to the communication in question.

I am, &c.

His Majesty's Commissioners.

(Signed)

ABERDEEN.

Enclosure in No. 81.

J. Barrow, Esq. to J. Backhouse, Esq.

SIR,

Admiralty Office, May 11, 1830.

WITH reference to your letter of the 2d instant, respecting 5 seamen, supposed to be British subjects, found on board the "*Midas*" slave-vessel, I am commanded by my Lords Commissioners of the Admiralty to transmit to you, herewith, for the information of the Earl of Aberdeen, a copy of a report from their Lordships' Solicitor on this subject.

I am, &c.

J. Backhouse, Esq.

&c. &c. &c.

(Signed)

J. BARROW.

Sub-Enclosure in No. 81.

Mr. Jones' Report.

SIR,

Lancaster-Place, May 8, 1830.

I TAKE the liberty to acquaint you, for the information of my Lords Commissioners of the Admiralty, that, in obedience to their Lordships' commands, signified to me by Mr. Barrow's letter of yesterday's date, I have perused the letter of Mr. Backhouse, which accompanied the same, with its enclosure, relative to the case of the 5 seamen, supposed to be British subjects, found on board the "*Midas*" slave-vessel, and that it does not occur to me, that any other steps can be taken, than what I humbly submitted to their Lordships, in my report, of the 6th of November last, on this case.

The certified copy of the muster-roll of the "*Midas*," transmitted by Mr. Macleay in his letter of 4th of March last to Mr. Backhouse, appears to have been so transmitted, under an idea that these men were to be put on their trial in England, and that it would afford proof of their being British subjects; but in this respect, as I humbly submit, Mr. Macleay is in error.

The original muster-roll, as well as any other paper belonging to a ship, may be offered in evidence, in any proceeding against the ship, her Master and Owners, because the Masters and Owners must be presumed, and will be deemed, to be privy to every document relating to, and found on board

the ship, but as against the individuals of the crew, I am clearly of opinion, that it cannot be made legal evidence, to shew of what countries they are natives, without any additional proof, that the entries relating to those individuals, were made with their privity, or from representations they had given of themselves, a fact which must be positively proved, and cannot be presumed; and that, if there be no other evidence than the muster-roll, to shew that these men are British subjects, it appears to me, with great deference, that a prosecution against them, in case any such shall be instituted by the Colonial Department, must fail, for without legal proof of their being British subjects, either by their own admissions, or by the knowledge of others, the enactments contained in the 9th and 11th sections of the Act 5. Geo. III. cap. 113, cannot, I apprehend, be enforced against them.

The Right Hon. J. W. Croker,
&c. &c. &c.

I am, &c.
(Signed)

CHARLES JONES.

No. 82.

W. S. Macleay, Esq. to The Earl of Aberdeen.—(Received June 29.)

MY LORD,

Havana, April 22, 1830.

ON the 7th instant, the notorious schooner "*Gallega*," D. Francisco Cabieses Master, arrived in this port, after having landed a cargo of slaves. The Captain-General has returned the usual form of answer to my denunciation of this vessel.

The schooner "*Bella Juliana*," D. Jozé Escardo, Master, sailed yesterday for the Coast of Africa.

I have already had the honour of informing your Lordship, that the brig "*Manzanares*," D. Manuel Alcantara, Master, sailed from this port for the Coast of Africa, on the 31st August last. It appears now, that on her voyage out, she plundered the American vessel "*Candace*," from Boston. The American Government has, in consequence, ordered the "*Manzanares*" to be seized, wherever she may be fallen in with, and we have for a month or 6 weeks past, had the mouth of this harbour and Matanzas watched by American schooners of war. The United States frigate "*Falmouth*," Commodore Elliot, Commander, has likewise arrived in the Havana, on the same errand; and Commodore Elliot informs me, that he has obtained from the Captain-General his promise to issue a general order to all the out-ports of this island, directing that wherever the "*Manzanares*" may arrive, she shall be immediately seized, and her crew lodged in prison.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

No. 83.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received June 29.)

MY LORD,

Havana, April 23, 1830.

LIEUTENANT TULLOH, commanding His Majesty's schooner "*Pincher*," while cruising off the north coast of this island, on the 10th instant, fell in with a suspicious schooner, which he chased at night into the harbour of Matanzas. On the following morning he applied to the Governor of that City, for leave to examine her, but his application having been referred to the Assessor of the Matanzas Government, this Officer thought proper to refuse Lieutenant Tulloh's request. He consented, however, to give up the name of the vessel, which turns out to be the schooner "*Santa Rosa*," fitted out in Spain for the slave-trade, the Commander, D. Vicente Ricoma, and her Consignees, Messrs. Perez and Co., of Matanzas. On Lieutenant Tulloh's furnishing me with copies of his correspondence with the Governor of Matanzas, I transmitted them, with the note (a copy of which I have the honour to enclose) to the Captain-General, and I now beg leave to lay before

your Lordship a translation of His Excellency's answer. It seems to me, after the strong report of the Assessor of the General Government, that it will be difficult for this vessel to escape punishment. I understand from good authority, that she landed about 300 slaves at the mouth of the Canemar, one of the two rivers which empty themselves into the Bay of Matanzas.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

First Enclosure in No. 83.

Lieutenant Tulloh to the Governor of Matanzas.

SIR,

H. B. Majesty's Schooner "Pincher," Matanzas, April 11, 1830.

HAVING occasion to believe that the two top-sail schooner, under Spanish colours, now at anchor in this harbour, is the same vessel chased by me yesterday evening, in His Britannick Majesty's schooner under my command, whose appearance leads me to believe her from the Coast of Africa with slaves, I have to request, agreeably to the Treaties existing between the Crowns of Spain and Great Britain, you will be pleased to give the name of the said Vessel, Master, Owner, Consignee, and Cargo, at the time of the Custom-house Officer's boarding her, when she arrived in this port; at the same time, beg leave to remind you of the Treaty, wherein both Parties mutually assist each other in similar cases to this. I have done this agreeably to Article 5 of the Treaty of 23d September 1817.

Should this vessel have landed her cargo during the night, I beg leave to recommend her being speedily searched, to elucidate the fact, and at the same time recommend one of my Officers being allowed to assist in the search.

I have, &c.

(Signed)

W. S. TULLOH, Lieut. and Com.

His Excellency the Governor of Matanzas.

Second Enclosure in No. 83.

(Translation.)

The Governor of Matanzas to Lieutenant Tulloh.

SIR,

Matanzas, April 12, 1830.

HAVING referred to the Assessor of this Government your letter of the 11th instant, expressing your suspicions of a Spanish schooner, which has entered this port, having landed negroes on the coast, and stating various circumstances in support of your opinion, I now transcribe, word for word, the Assessor's answer—

"Señor Governor,—Having considered the letter of the Commander of His Britannick Majesty's schooner "Pincher," which you have been pleased to send me, translated into our language, together with the report made by the visiting Adjutant, I could not help feeling surprised at the pretension of the said Commander, in desiring permission for an Officer, under his command, to be present at the examination of the Spanish schooner, called "Santa Rosa," which has anchored to-day in this port. He founds his pretension on the suspicions of the said schooner having brought Bozal negroes from the Coast of Africa; he observes, that Art. 5 of the Treaty concluded between our Sovereign and the King of Great Britain, provides, that the subjects of both shall mutually assist in the discovery and prosecution of the persons implicated in the illicit traffick in slaves. Although, unfortunately, there does not exist in this "Asesoria" a copy of the before-mentioned Treaty, I cannot believe that the Article cited has the latitude which the Commander of the "Pincher" wishes to give to it; for it is not credible that any nation, however abject and humbled, could authorize foreigners to visit her vessels in her very ports, and to prosecute and chastise crimes which it is her own interest to punish. Such a nation, thus careless of preserving the respect due to her flag, and the inviolability of her ports and territory, must necessarily be supposed devoid of every noble feeling towards herself, as well as of all moral and physical force. The Commander of the "Pincher" has no proofs of that infraction of the Treaty, of which he complains; he only states presumptions, and it is very strange that, for a mere presumption, he should desire to be present at the examination of this vessel, and should require assistance, in order to ascertain, ashore, whether there has been effected a landing of slaves. This conduct, besides being indecorous, must also be deemed offensive to your delicacy and well-known rectitude, inasmuch as it implies that this Officer has not that confidence in the measures which you may dictate in the affair, that is due to so faithful a servant of His Majesty. Nevertheless, you have already ordered what you considered necessary for the examination of the vessel in question, from which operation, according to the report of the visiting Adjutant, there results no proof whatever of her having brought negroes from the Coast of Africa, which, likewise, is to be inferred from the visit of the Custom-house and other Officers of the Royal Revenue. I therefore think that you ought to write, as above, to the Commander of the "Pincher," in answer to his said letter, and at the same time to issue the strictest order, for the Commandant of Police to repair, with the troops under his command, to the spot, where it is presumed this imaginary disembarkation has been made, and there to proceed to the most scrupulous

investigation. And as, in my opinion, the final consideration of this affair, and indeed the entire cognizance of it, belongs exclusively to his Excellency the Captain-General of the Island, I beg likewise to suggest, that, notwithstanding what I have already observed, his Excellency be made acquainted, by express, with the original proceedings, a copy being reserved in case of any miscarriage."

"God preserve you, &c.

(Signed)

"FELIZ DE ACOSTA."

"Matanzas, April 12, 1830."

"Item.—It being necessary to collect the log-book and other papers of the schooner "*Rosa*," in order that, together with these proceedings, the whole may be sent to his Excellency; you can likewise give orders to this effect, and also furnish the Commander of the "*Pincher*" with the information which he asks, as to the name of the Vessel, her Captain, and her Consignees. The date as above.

(Signed)

"ACOSTA."

In conformity with the above opinion, I have now to inform you, in answer to your said letter, that at an early hour this morning, the party set out for the coast, to examine the spots which you have pointed out to me, and that, moreover, I have instructed persons in my confidence to ascertain whether there really has been effected a disembarkation of negroes. I have likewise to acquaint you, that the schooner "*Rosa*" in question, is from San Tomas, that her Captain is Vicente Ricoma, and that she is consigned to Perez, Brothers, &c. Merchants, of this place.

God preserve you many years.

(Signed)

CECILIO AYLLON.

Third Enclosure in No. 83.

Lieutenant Tulloh to W. S. Macleay, Esq.

SIR,

H. M. Schooner "*Pincher*," Havana, April 13, 1830.

I HAVE the honour to inform you, that on Saturday afternoon, the 10th instant, being off Port Ycaros, on my passage up the Bahama Channel, at $\frac{1}{2}$ past 4 P. M., a strange sail was seen to the westward. His Majesty's schooner under my command was immediately disguised, as the stranger, (a large two topsail schooner) was nearing us. At 5 she hauled off, and made all sail, which was done forthwith on board this vessel. At sun-set we had neared the chase sufficiently to see the people on her decks, and that she was a very suspicious vessel. At 7. 30. we lost sight of chase, and continued to steer the same course during the night, keeping close to the entrance of Matanzas. On the morning of the 11th the fog clearing off, the stranger was discovered close into the entrance of that harbour. I followed her in, anchoring in that port, and forwarded the Governor of that place a letter; the copy of which I beg leave to enclose, likewise his answer to the same.

This vessel proves to be the "*Rosa*," from the Coast of Africa, and, from the best information I could gain, had landed 120 slaves during the night, near the River Canomo. I left Matanzas for this place to lay the proceedings before you, leaving it to your consideration for the result.

I have the honour to be, &c.

(Signed)

W. S. TULLOH, Lieutenant and Commander.

W. S. Macleay, Esq. His Majesty's Commissioner.

Fourth Enclosure in No. 83.

W. S. Macleay, Esq. to the Captain-General of Cuba.

Havana, April 15, 1830.

THE Undersigned, Commissioner of His Britannick Majesty, has the honour to enclose to his Excellency the Captain-General, the copy of a letter he has just received from Lieutenant Tulloh, commanding His Majesty's schooner "*Pincher*," with 2 other documents, relative to a vessel from the Coast of Africa, which this Officer chased into the Port of Matanzas on the night of the 10th instant. As it will be the duty of the Undersigned to transmit these documents to his Government, he takes this opportunity, according to his instructions, of making known his intention to the Captain-General, and avails himself of the occasion to repeat to his Excellency, &c.

His Excellency the Captain-General.

(Signed)

W. S. MACLEAY.

Fifth Enclosure in No. 83.

(Translation.)

The Captain-General to W. S. Macleay, Esq.

SIR,

Havana April 22, 1830.

ALMOST at the same moment that I received your letter of the 15th instant, in which you enclose me a copy of one addressed to you by Lieutenant Tulloh, commanding His Britannick Majesty's schooner "*Pincher*," on the subject of the arrival, in the Port of Matanzas, of the Spanish schooner

"*Rosa*," suspected of having brought a cargo of negroes, I received another from the Governor of the said city, with the proceedings which he caused to be adopted in the investigation of this affair, in consequence of the statement made to him by the said Commander; and having now myself referred the whole to the Second Assessor-General of this Government, he has advised me, under date of the 20th instant, as follows:—

"Most Excellent Sir.—The Spanish schooner "*Rosa*," from the Island of St. Thomas, commanded by D. Vicente Ricoma, which anchored in the Port of Matanzas, to avoid being captured by His Britannick Majesty's schooner "*Pincher*," is truly to be suspected of having been concerned in the introduction of Bozal negroes; as it is not likely, that she could have come from that place in ballast. There are likewise other considerations and circumstances against her, to be deduced from the few papers taken from her, and which afford sufficient ground for an investigation, particularly as the known zeal of your Excellency is excited by the Commissioner of His Britannick Majesty, in his letter of the 15th instant. Under such circumstance it appears to me, that your Excellency should desire the Governor of Matanzas to secure immediately the muster-roll, log-book, invoices, clearances, certificates of visit, title-deed, correspondence, and whatever other papers may be found on board, and making thereof an inventory, to transmit them here without loss of time; that, in like manner, he ought to send, with all due security, for the disposal of your Excellency, the Captain, Officers, and crew, in order to form the necessary proceedings; that the vessel ought to be put under an embargo, making a formal inventory of her tackle, apparel, and whatever she may contain, leaving to the discretion of the said Governor to dictate the proper means for her preservation. Your Excellency will please likewise to direct the said Governor to transmit whatever proceedings, information, or reports, he may have since collected, with regard to the landing of negroes by the said vessel, without omitting circumstantial certificates of the visits, which ought to have been made to her by the Civil Authorities, and by the administration of the Royal Revenues. Of these various papers, with those now before me, a file may be formed, which ought to be transmitted to the *Escribano de Semana* for ulterior proceedings. Such is my opinion, saving the superior judgment of your Excellency."

Agreeing with the above opinion, I now transcribe it, for your information, in answer to your letter, and beg to add, that I have already taken measures for the accomplishment of what is therein expressed, in order that the affair may be prosecuted, when you shall be duly informed of the result.

God preserve you many years,

(Signed)

F. D. VIVES.

The Commissioner of His Britannick Majesty

No. 84.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received June 29.)

MY LORD,

Havana, May 6, 1830.

I HAVE the honour to report to your Lordship, that His Majesty's sloop "*Sparrowhawk*," Captain Thomas Gill, Commander, when off the Moro off Santiago de Cuba, on the 9th ult, detained the Spanish schooner "*Santiago*," of 43 tons, commanded by D. José Rivet, and having on board 108 negroes. Captain Gill being at the time, as I understand, bound to Jamiaca for Admiral Colpoy's despatches, in order to take them to New Providence, did not conceive himself justified in accompanying the detained vessel to the Havana, but dispatched her with the negroes, the Master, and one black sailor, to this place, in charge of Mr. Robert Boyle Miller, as Prize-Master, with 4 men of the "*Sparrowhawk*." It appears that, on the 10th ult., when the Prize-Master went on board the "*Santiago*," she had 3½ feet water in her hold, and that, subsequently, her state became gradually so bad, as, on the 22d ult., to occasion fears of her going to pieces, the Prize-Master's difficulties being much increased by 2 of his men having fallen ill of fever. Mr. Miller, as appears by his log-book, consequently endeavoured to run her ashore on Cape San Antonio, in order to save the lives of those under his charge; but most providentially on the 23d, when he found it impossible to keep the vessel clear with the pumps, His Majesty's sloop "*Slaney*," Captain C. Parker, Commander, hove in sight. The "*Slaney*" was at the time conveying the Lord Bishop of Jamiaca to Port Royal, on his return from a visitation to the Honduras, and seeing the signal of distress made by the "*Santiago*," Captain Parker ordered his carpenter on board, to report on her state. A copy of this report, dated the 24th ult., I have the honour to enclose to your Lordship, by which it will appear, that she had then 6 feet water in the hold, and was in a sinking state. Captain Parker, therefore, immediately ordered the vessel to be abandoned, and, saving a few trifling articles from the wreck, he transferred the negroes to the "*Slaney*," and came on with them to this port, where he arrived on the 27th ult. A copy of the

letter addressed to His Majesty's Commissioners on his arrival, by Captain Parker, is herewith enclosed. In consequence of this letter, I requested the Governor to lose no time in taking charge of the negroes, and summoned a Court of the Mixed Commission, which met on the 29th ult. and following days. I have the honour to enclose a copy of Captain Parker's certificate of the state of the negroes, at the time they were delivered up to the Captain-General, as also an abstract of the evidence produced before the Mixed Commission, and a translation of the provisional decision of this Court, signed on the 5th instant. By this last document your Lordship will perceive, that the Spanish Commissioners still adhere to the opinion expressed in their letter of the 5th of February, 1829, a translation of which I had the honour to enclose in my despatch of the 10th of February 1829. They still declare the general necessity of the presence of the Commander of the capturing vessel. This I could not admit, but I conceived myself bound to agree with my Colleagues, that the Treaty required more evidence to be produced than had been presented in this case of the "*Santiago*," because the 3d Article of the Regulations for these Mixed Commissions, as annexed to the Treaty, specifies, that the Court shall "receive the depositions on oath of the Captain, and of 2 or 3 at least of the principal individuals on board of the detained vessel. And it is a singular circumstance attending this case of detention, that we have no evidence whatever respecting the crew of the "*Santiago*," of whom only the Captain and a negro sailor have been presented to the Mixed Commission.

The final decision must consequently stand over until the appearance of Captain Gill. I did not certainly see any necessity for addressing the Captain-General on this subject, and even acquainted my Colleagues, that I had privately taken, what I conceived to be effectual, measures for securing the Captor's speedy presence; but they conceived, that a letter from them to the Captain-General, enclosing the Court's provisional decision, would be the more formal mode of proceeding.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. The Earl of Aberdeen, K. T.

&c.

&c.

&c.

P. S.—11th May, 1830. I have the honour to acquaint your Lordship, that I have just received a private letter from Vice-Admiral Colpoys, acquainting me, that Captain Gill may be momentarily expected in the Havana; and having shewn it to the Captain-General, his Excellency informs me, that he does not conceive it necessary for him to take any further steps in the matter of a despatch to Admiral Colpoys. (Signed) W. S. M'L.

First Enclosure in No. 84.

Captain Parker to His Majesty's Commissioners.

GENTLEMEN,

His Majesty's Sloop "Slaney," at Sea, April 27, 1830.

I BEG leave to inform you, that on the 23d of April, between latitude 22° 30' N., and longitude 85° 30' W., His Majesty's sloop "*Slaney*," under my command, fell in with the Spanish slave-schooner, "*St Jago*," and on examination found she was detained by His Majesty's sloop "*Sparrowhawk*," for illicit traffick, and that Mr. Miller, (Mate) had received directions from Commander Gill, to take charge of her, and proceed to the Havana to bring her to trial; but that in consequence of the vessel having sprung a dangerous leak, and otherwise in great distress, he was under the necessity of representing to me, that she was unable to reach the Havana, and therefore requested I would render him such assistance as I should find most expedient.

The First Lieutenant and Carpenter of the "*Slaney*" were directed to proceed on board, to examine her, and report to me their opinions on the real state of the "*St. Jago*." They found her to be so defective and totally unseaworthy, that I was compelled to remove the slaves (107 in number) on board the "*Slaney*," and also to direct Mr. Miller and his crew to abandon the vessel.

I have to request you will be pleased to make the necessary application to the proper Authorities, for the immediate landing of the slaves, in order that I may be enabled to proceed in the execution of the Commander in Chief's orders, without delay.

I am, &c.

(Signed)

CHARLES PARKER, Commander.

His Britannick Majesty's Commissioners of the Slave-trade, Havana.

Second Enclosure in No. 84.

The Carpenter of the "Slaney" to Captain Parker.

SIR,

Schooner "St. Jago" at Sea, April 24, 1830.

IN compliance with your order, to endeavour to stop the leaks of this vessel, I find it impossible, the wooden ends of the schooner having started off down to the keel, the main piece of the rudder and her foremast sprung, and some part of her forefoot gone, having 6 feet water in her hold, and in a sinking state. I deem it impossible to render her fit to prosecute her voyage, and await your further orders.

I am, Sir, &c.

(Signed)

WILLIAM BROWN, Carpenter.

Charles Parker, Esq. Commander of H. M. Sloop "Slaney."

Third Enclosure in No. 84.

Captain Parker's Account of the Slaves.

CERTIFIED Account of the slaves on board His Majesty's sloop "Slaney," taken out of the schooner "St. Jago" of Cuba, at Sea, (when in distress) detained by His Majesty's sloop "Sparrowhawk."

Havana, April 28, 1830.

SLAVES.	HEALTHY.	SICK.	NUMBER.
Men	16	2	18
Women . .	36	2	38
Boys	18	1	19
Girls	29	1	30

105 and one infant just born.

Total 106, of whom 1 died this day at 3 P. M., remaining 105, delivered up to the Captain-General.

Signed and
sworn to by{ CHARLES PARKER, Commander.
JOHN WEST, Surgeon.

Fourth Enclosure in No. 84.

Abstract of the Evidence in the Case of the "Santiago."

CAPTAIN CHARLES PARKER, Commander of His Britannick Majesty's sloop "Slaney," being sworn, deposed, that the letter, dated 27th of April of this year, and addressed to the British Commissioners, is signed by him, and that the contents thereof are true, except that instead of 107 negroes, which he therein states to have received on board the "Slaney," as the cargo of the schooner "Santiago," it appears, on counting them anew, that there were only 106, the mistake having, no doubt, arisen from the confusion at the moment of receiving them on board; that 1 negress died last night, thus reducing the number, this morning delivered up to the Governor, to 105 negroes; that the deponent took also on board the "Slaney" 2 persons belonging to the crew of the "Santiago," namely, the Captain, whose name the deponent is ignorant of, and a black sailor, named Alexander Journée, also 5 persons belonging to the "Sparrowhawk," viz. Mr. Miller, Mate, and 4 sailors, whose names this deponent does not know; that this deponent ordered the "Santiago" to be abandoned, on account of being utterly unseaworthy, in the opinion of the Carpenter ordered to survey her, as appears by the report of this Officer in the English language now produced; that the deponent is not, and never was, in possession of any documents whatever belonging to the "Santiago;" that this deponent has delivered up the Master of the "Santiago" to the Captain-General, but not the sailor, Alexander Journée, because he believes him to be a British subject; and he founds this belief, as he has stated to the Governor, on the man's having confessed that he is a native of Jamaica; that the deponent does not, however, know whether Journée may not have been naturalized a Spaniard.

Mr. William Brown, first Carpenter of His Britannick Majesty's corvette "Slaney," being

sworn, deposed, that the certificate, now produced, of the state of the schooner "*Santiago*" on the 24th of April, is the same this deponent gave to Captain Parker, and that the contents thereof are true.

Mr. Robert Boyle Miller, Mate of His Britannick Majesty's sloop "*Sparrowhawk*," being sworn, deposed, that the schooner "*Santiago*" was given into the deponent's charge by Thomas Gill, Esq., Commander of the English sloop-of-war, "*Sparrowhawk*," together with the instructions which the deponent now exhibits in the English language; that the documents of the "*Santiago*," delivered to this deponent by Captain Gill, were those now produced, (viz. a licence of the Military Commandant of Registers, in the City of Cuba, in lieu of a Royal passport, the muster-roll, 3 log-books, of which 2 are in Italian, and the other in the English language, and finally 2 letters, the first of which appears to be signed by Antonio Joaquin Luyando, and the other by José Torres and José Vicente Cabrerías) and that this deponent had never in his possession any other papers belonging to the "*Santiago*"; that the said slave-vessel was detained in front of Santiago de Cuba, but in what latitude this deponent does not now recollect, although it ought to be stated in one of the 3 certificates of the Captor, now produced to the Court; that this deponent did not, at the time of the "*Santiago's*" detention, go on board of her, and therefore did not receive her papers from the Master; that when this deponent took the command of the said slave-vessel, there were on board 108 negroes, with an infant child, making in all 109; that 2 negroes threw themselves into the sea and perished, and another died, so that the number was reduced to 106, who were taken on board the "*Slaney*," by Captain Parker; that 1 negress has died since the arrival in this port, so that the number, delivered up to the Captain-General, is 105; that the "*Santiago*" was detained by the "*Sparrowhawk*," on the 9th of this month; that Captain Parker fell in with the slave-vessel on the 23d, and took the negroes and crew on board; that when this deponent took command of the schooner, he found more than 3 feet water in the hold, and that a new leak was discovered on the 20th of April; that this deponent cannot affirm that the crew of the "*Santiago*," including the Captain, consisted of 13 persons; that all were at first taken on board the "*Sparrowhawk*," but that the Master with 1 sailor soon returned, and that these 2 individuals have arrived in this port; that the "*Sparrowhawk*" sailed then for Santiago de Cuba, according as this deponent understood from Captain Gill to be his orders; that Captain Gill shewed this deponent a Treaty between Great Britain and Spain, printed in English and Spanish, which this deponent believes to relate to the abolition of the slave-trade, because it was similar to one which the English ship-of-war, "*Bann*," had when she was cruising on the Coast of Africa, having this deponent on board; that Captain Gill did not deliver to the deponent this Treaty with the other papers; that the only articles saved by the "*Slaney*" from the "*Santiago*" were, as well as this deponent recollects, 2 sails, namely, a foresail and jib, a compass, a deep sea lead and line, a log-glass, and some buckets which served for platters to the negroes; that the "*Santiago*" was abandoned on the 24th instant; that this deponent having been ordered on board the "*Slaney*," does not exactly know why more articles were not saved from the "*Santiago*," but he supposes, that as the slave-vessel was sinking, the people in charge from the "*Slaney*," did not think it prudent to wait longer in her; that besides, there was no sort of cargo on board the "*Santiago*," and that the main-sail was no doubt left on board, in order that it might present some visible object in the night, to any other vessel in danger of running foul of the wreck.

D. José Rivet, a Catholic, aged 28, being sworn, deposed, that he is a native of Barcelona, but a resident in Leghorn, in Italy, from his youth, unmarried, and by profession Master and Mate of the schooner "*Santiago*"; that this deponent sailed from Santiago de Cuba with a cargo of aguardiente, cotton goods, and other merchandize, and having on board a crew, including the Master, of 15 men; and that the place of her destination was the Isla de Principe; that, by reason of tempestuous weather, they could not make Principe, but were forced to sail for a place on the African Coast, called Bras, in Calabar; that there the King of the country took possession of the cargo, engaging to pay for it in ivory and palm-oil; but these articles not being forthcoming, and the crew of the "*Santiago*" getting sick from the insalubrity of the place, the deponent urged the King to fulfil his contract, and that he was then told that the only mode of being paid for his cargo was to take on board negroes, whom this deponent was, thereupon, forced to admit on board his schooner; that 144 negroes were consequently embarked; that the "*Santiago*" sailed from Africa on the 9th of last February; that the place of her destination was the South Coast of this Island, where, however, she did not arrive, having been detained, about 15 miles from the Moro of Santiago de Cuba, by the British corvette-of-war "*Sparrowhawk*"; that the Commander of the "*Sparrowhawk*" sent on board an Officer and 4 men; that 108 slaves were alive at the time of detention; that this deponent's papers were taken from him, and on the following day a document in the English language was given him, which he has now in his chest in the prison; and that then all the crew of the "*Santiago*," the deponent included, were carried on board the "*Sparrowhawk*"; that the deponent remained on board the corvette 14 hours, and returned on the day following the detention to the schooner, with a sailor, called Alexandro, and found there on board an Officer, Prize Master, with 3 sailors and a soldier; that, on the 10th of April, the said Officer made sail for the Havana, the vessel then making a great deal of water, and having provisions on board for 12 days, but no other cargo whatever; that, on the 22d or 23d of the same month, being off Cape San Antonio, they fell in with the corvette-of-war which has brought them into this port; that the "*Santiago*" was then in a very bad state, owing to her leak having increased so much that it was impossible for her to continue her voyage, and that the carpenter of the sloop-of-war not being able to stop her leaks, the only resource remaining was to abandon her; that the English Captain received on board all the negroes and other persons then existing on board the "*Santiago*," but could not save more effects from her than 1 sail and a very small quantity of provisions; that the papers now produced are really and truly the same with which the deponent was sailing at the time of detention, and the same to which refers the paper given to him by the Commander of the "*Sparrowhawk*"; that the letter signed Luyando belonged to the Mate, Pedro Paris, who died on the Coast of Africa; and that the other letter, signed Torres and Cabrerías, belonged to the Boatswain, whom this deponent left on board the capturing vessel; that 105 negroes were in existence when the "*Santiago*" arrived in this port; and that of the

3 dead since the "*Santiago*" left Santiago de Cuba, 2 had thrown themselves into the sea; that the Owner of the "*Santiago*" is the Boatswain, D. Jozé de Torres, left on board the "*Sparrowhawk*"; and that the deponent was Master, First Pilot, and Supercargo of the said schooner.

Alexander Journée, a Catholick, negro, aged 23 years, being sworn, deposed, that he was born at Curaçoa, though a resident of Jamaica; that he is unmarried, and by profession a sailor, on board the schooner "*Santiago*"; that the deponent was appointed to the "*Santiago*" by the Captain, D. Jozé Ribet; that he embarked on board at Santiago de Cuba; that the schooner's cargo, at that time, consisted of aguardiente, and other merchandize, with which they sailed for Bras, on the Coast of Africa; that there the cargo was landed and taken possession of by the King of the country, who, in payment thereof, delivered up 142 slaves, as well as this deponent recollects; that this deponent does not remember the day the "*Santiago*" sailed from Africa, but knows that they sailed for this Island of Cuba, and that they were only 7 leagues from the Moro of Santiago de Cuba when the English corvette-of-war "*Sparrowhawk*" detained them; that, at the time of detention, there were 108 negroes on board; that an English Officer took possession of the papers of the schooner; that all the crew of the "*Santiago*" were at first taken on board the "*Sparrowhawk*"; that the following day the Captain and this deponent were sent back to the schooner, where they found in possession an English Officer, 3 sailors, and a soldier of marines; that the schooner was detained in April last, but on what day this deponent does not recollect; that the schooner was leaky; that she had provisions on board for several days, but no other cargo, except slaves; that, when off Cape San Antonio, they fell in with the British vessel-of-war "*Slaney*," and the schooner making then much water, the former vessel took on board the slaves and all the crew, the "*Santiago*" being abandoned; that the deponent left the rest of the crew of the "*Santiago*," in number 8, on board the "*Sparrowhawk*," and knows nothing of their destination.

Fifth Enclosure in No. 84.

(Translation.)

Provisional Decree of the Mixed Commission in the Case of the "Santiago."

Havana, May 5, 1830.

IT not being legally proved, that Don Thomas Gill, the Commander of the corvette of His Britannick Majesty, "*Sparrowhawk*," was provided with those instructions, mentioned in the 9th and 11th Articles of the Treaty between their Catholick and Britannick Majesties, concerning the abolition of the traffick in slaves, and which authorize the visitation and detention of slave-vessels; and it further appearing that he has not presented the formal declaration, which he ought to make, before this Commission, agreeably to the terms of Article 5 of the Regulations, and in which, according to Article 6 of his Instructions, he ought to have mentioned the state in which he found the detained vessel, a declaration in this case the more essential, as Don Charles Parker, Commander of the British sloop-of-war "*Slaney*," not only ordered the "*Santiago*" to be abandoned near Cape San Antonio, on account of her leaky state, which rendered it impossible for her to continue her voyage to this port, but took the negroes and crew on board his own ship; and lastly, it further appearing, that no declaration, as required by the 3d Article of the said Regulations, has been given into Court, to explain the cause why the Captor sent back, on board the merchant schooner "*Santiago*," only her Master and one sailor, and detained all the rest of her crew on board his own corvette, notwithstanding that the 6th Article of his Instructions directs him to leave on board the detained vessel, the Captain, and a part, at least, of her crew; and as the above-mentioned documents and proofs are necessary, in the spirit of the above-mentioned Treaty, to enable the Court to judge and determine with accuracy, a letter should be written by the Court to his Excellency the Governor and Captain-General, enclosing a copy of this provisional decree, in order that his Excellency may write a despatch to the Vice-Admiral of the Naval Forces of His Britannick Majesty, at Jamaica, requesting him to direct the Commander of the "*Sparrowhawk*" to present himself before this Court, with the crew of the "*Santiago*," in order to give all necessary evidence, and praying all possible speed, in order that further expenses may neither be incurred nor increased, and that the final sentence of the Court may be issued within the time specified by the 1st Article of the above-mentioned Regulations; His Britannick Majesty's Commissioner of Arbitration, on his particular part, stating, that while he agrees to the necessity of delay, in the present case of detention, on account of the evidence before the Court not being, in his opinion, sufficient, according to the Treaty, to justify a final sentence, he must, at the same time, declare, that he does not deem the presence of the Captor, before this Commission, to be in every case necessary.

(Signed)

VILLANEUVA.
QUESEDA.
W. S. MACLEAY.

No. 85.

W. S. Macleay, Esq. to J. Backhouse, Esq.—(Received July 1.)

SIR,

Havana, May 10, 1830.

WITH reference to my despatch to the Earl of Aberdeen, I beg leave to observe, that it seems to me most expedient that the Spanish Government should be induced to place the same construction on the Treaty, which His Majesty's Government has done, with respect to the question of the presence of the Commanders of capturing vessels. In the particular case of the "*San-*

tiago," the presence of Captain Gill has become necessary, from the mode in which he has executed his instructions; but I cannot do otherwise than observe, that had this Officer placed the evidence against the "*Santiago*," in the most satisfactory state, my Spanish Colleagues, proceeding on their general construction of the Treaty, would still have demanded his presence. It is needless to expatiate upon the inconvenience, delay, and expense that must result from the Spanish Government thus continuing to interpret the Treaty, in a manner different from His Majesty's Officers. Trusting, therefore, that this important point may soon be satisfactorily arranged between the two Governments, I would next venture to suggest, that as the Officers of His Majesty's cruizers, who do not come in with their prizes, must themselves decide what evidence will be required of them, there is an absolute necessity for their being furnished with the most full instructions. I believe that, at present, they are only supplied with a part of the Treaty, and not at all with those forms of proceedings, drawn up for the guidance of these Mixed Commissions by His Majesty's Government, and formally adopted in the Havana, with the consent of the Court of Madrid. I venture, therefore, humbly to propose, that His Majesty's cruizers be furnished with the whole of the Treaty, and with the abovementioned forms of proceeding. Hitherto, as the Captor has invariably accompanied his prize to the Havana, it was the business of His Majesty's Commissioners to see that his papers were all in order before he came into Court; but now, when the Captor may absent himself, they, of course, cannot assist him; and if his papers are forwarded to the Court incorrect, or insufficient, they find themselves, instead of being (as bound by oath) impartial judges, placed in the situation of his advocates. When once the Commissioners, whether English or Spanish, are allowed to become the advocates of their respective countrymen, and do not strictly abide by the Treaty, it is manifest that this Mixed Commission will be of little use towards the restriction of the slave-trade; for, independently of the continual contentions that will result, the British part of the Commission is always liable to be outvoted by the Spanish. I beg leave, therefore, earnestly to request, that His Majesty's cruizers be furnished, henceforward, with the most full instructions, and be ordered to obey them implicitly. Of the absolute necessity of this, I can give no better example than this case of the "*Santiago*," detained by Captain Gill, copies of whose only 3 certificates, I now enclose. He forwarded no letter, or other paper, to the Commission.

1. The first difficulty made by the Spanish Commissioners was, as to there being no sufficient proof of the "*Sparrowhawk*" having been in possession of the instructions which, according to Art. 9 of the Treaty, authorize a British vessel-of-war to detain a Spanish slave-vessel. On this point, I conceive Mr. Miller's evidence sufficiently conclusive, but my Spanish Colleagues thought not, and argued that Captain Gill's not having the Treaty in his possession, was a fair inference from the fact of his not having complied with its provisions. It is to be observed that he himself states nothing whatever on the subject.

2. Captain Gill was bound by Art. 6 of the Instructions, to leave on board the slave-vessel the Captain and a part, at least, of his crew. By Art. 3 of the Regulations, the Commission must receive the depositions, on oath, of the Captain and 2 or 3, *at least*, of the principal individuals on board the detained vessel. Captain Gill, however, only sends 2 of the crew to the Havana, and selects these 2, so that neither of them happen to be Spaniards, which is the more singular, as the Owner of the slave-vessel, a Spaniard, was on board; and to judge from the names in the muster-roll, the individuals forwarded to the Havana were the only persons in the "*Santiago*" not Spaniards. Captain Gill, indeed, has stated nothing whatever to the Mixed Commission respecting the crew, but certainly he has no right to dispose of them as he pleases.

3. By Art. 6 of the Instructions, the Captor "is bound to draw up in writing an authentick declaration, which shall exhibit the state in which he found the detained ship, and the changes which have taken place in it." Captain Gill has forwarded to the Commission nothing of the sort. A form

of the declaration he ought, in virtue of the above Article, to have sent, is given in the rules laid down, as beforementioned, for the guidance of the Mixed Commissions. But Captain Gill has given no classification of the negroes of the "*Santiago*," as to age, sex, or health; and, indeed, the first classification which has been made of them, seems to be drawn up by the *Salvor*, Captain Parker.

4. Captain Gill was bound by the above Article of the Instructions, and according to the beforementioned form of declaration, given in the course of proceeding, laid down for these Commissions, to declare whether the "*Santiago*" was sufficiently supplied with provisions for her intended voyage to the Havana, and, above all, whether or not she was sea-worthy. Captain Gill has not made any such statement; but that the "*Santiago*" was not sea-worthy, is sufficiently clear, from the following extract from the Prize-Master's log, April 10, 1830:—

"One P. M. so received my final orders, and parted company with the "*Sparrowhawk*," for the Havana. Found 3 feet water in the hold. Employed at the pumps."

It is impossible to suppose that any British Officer could have dispatched 115 human beings on a long voyage, in such a vessel, had he been aware of her state; and I therefore infer, that if Captain Gill had known that his duty was to certify the "*Santiago's*" state, at the time of detention, he would have ordered her to be surveyed, and thus would have been prevented from placing so many human lives in imminent danger.

5. By the 6th Article of the Instructions, "the Captor is bound to deliver to the Captain of the slave-ship, a signed certificate of the papers seized on board the said vessel." By the form of such certificate, as given in the aforesaid rules, it appears that the papers ought to be numbered and endorsed by the Captor. Captain Gill did neither. He takes them from the Master of the slaver; gives a receipt for them, and forwards them, without any envelope, by Mr. Miller, to the Mixed Commission, accompanied by a certificate, which, probably owing to his not being acquainted with the Spanish language, gives quite an erroneous description of them. Fortunately, the Master of the slaver at once acknowledged these papers before the Mixed Commission; but if he had not, these papers, being erroneously described by the Captor, and neither numbered or endorsed by him, would have been very difficult to identify, particularly as the Prize-Master could only depose, that he received them loose from Captain Gill. I, therefore, would suggest, that every Captor, be directed to number and endorse the papers of a detained vessel, as soon as he receives them. For purposes of identification it is indeed scarcely safe in the Captor to attempt to describe their purport, unless he be well versed in the Spanish language.

In making the foregoing remarks, I trust that I shall not be understood to intend any thing prejudicial to Captain Gill, whom I have heard to be a most deserving Officer; my only object being to state such facts, as will shew the necessity of His Majesty's cruisers being henceforward furnished with the whole of the Treaty, and the rules of proceeding drawn up for the guidance of these Commissions. The "*Sparrowhawk*" is, I learn, just arrived on this station; she cannot, therefore, be expected to be acquainted with the disgraceful state of the coasts of this island; and I thus may be allowed to make another remark, that when any Officer appoints a prize crew to a detained vessel in these seas, it ought not only to be sufficient to navigate, but also to defend her. Had the "*Santiago*" fallen in with a pirate, or had she even been run ashore at Cape San Antonio, as Mr. Miller was endeavouring, at the time she was providentially descried by the "*Slaney*," the consequences would have been dreadful. No one acquainted with these islands, can doubt as to what would have been the fate of the prize crew; nay, had they even arrived in this harbour, they would not have been safe, until the slave-vessel could have been formally taken possession of by the Captain-General, as will appear from the circumstances of the "*Monkey*," stated in my despatch to the Earl of Aberdeen, of last year on that subject.

John Backhouse, Esq.

&c. &c. &c.

(Signed)

I have, &c.
W. S. MACLEAY.

Enclosure in No. 85.

Copies of three Certificates of Captain Gill.

I, THOMAS GILL, Commander of His Majesty's sloop "Sparrowhawk," hereby declare and certify as follows, viz. that on the night of the 9th of April, at or about 9 P. M. being in latitude 19° 18' N., and longitude 76° 27' W., I fell in with and detained the schooner "Santiago," Don Jozé Ribet, Master, having actually on board 108 slaves, said to be from Bras, on the African Coast, and bound to St. Jago de Cuba.

Given under my hand on board His Majesty's sloop "Sparrowhawk," at sea, this 10th day of April 1830.
(Signed) THOMAS GILL, Commander.

These are to certify to the Court of Mixed Commission at Havana, or whom else it may concern, that 108 slaves were on board the schooner "St. Jago," D. Jozé Ribet, Master, detained by His Majesty's sloop "Sparrowhawk," under my command, for illicit traffick in slaves, and sent to Havana for adjudication, this 10th day of April 1830.

(Signed) THOMAS GILL, Captain.

These are to certify, that at the time of the detention of the schooner "St. Jago," there were on board 108 slaves, and the following papers, viz. 1 register, 1 despatch from Cuba, 1 article and list of crew, a private log paper, said to be the Captain's slave-commission, and the schooner's log.

Given under my hand, on board His Majesty's sloop "Sparrowhawk," at sea, the 10th of April 1830.
(Signed) THOMAS GILL, Commander.

No. 86.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received June 29.)

MY LORD,

Havana, May 22, 1830.

CAPTAIN GILL, commanding His Majesty's sloop "Sparrowhawk," arrived in this port on the 17th instant, and I have now the honour to transmit, herewith, to your Lordship, a copy of this Officer's amended declaration, of the detention of the Spanish slave-schooner "Santiago," an abstract of his evidence with respect to her crew, whom he landed at Santiago de Cuba, and also a translation of the final sentence of the Mixed Commission, emancipating the 105 slaves, delivered up to the Captain-General, by Captain Parker, of His Majesty's sloop "Slaney."

It appears from the papers of the "Santiago," and the evidence of her Master, that armed with 8 muskets and 12 swords, she sailed from Santiago de Cuba with 15 men, including the Captain, on the 10th of August last, and that having embarked 144 slaves at a place, according to the Master, called Bras, on the Calabar Coast, she left Africa on the 9th of February last.

The Court has adjudged the detention of the "Santiago" to be legal, without the Captor having produced that minimum number of the individuals of her crew, which the 3d Article of the Regulations annexed to the Treaty, requires the Commissioners to examine. While they overlook this difficulty in the present case, the Spanish Commissioners have felt themselves bound to state to me, that they hope such mistakes will be avoided in future. And, indeed, I am convinced, that one of the most effectual modes of checking this detestable traffick, is for His Majesty's Officers to lodge the crews of the slave-traders in the common prison of the Havana. It may be true that they are not punished there as they deserve, but still they are imprisoned for a time, and hitherto, have in general been drafted by Admiral Laborde into his ships-of-war. In my opinion, the trade ought to be rendered both dangerous and irksome, in order to inspire a salutary dread of it, in the minds of the common sailors, a class of men, who, from slave-traders, pass readily into pirates, and who clearly suffer little by the emancipation of the slaves, they are employed to convey from Africa.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K.T.

&c.

&c.

&c.

P. S.—24th May, 1830.—I have the honour to inform your Lordship, that with respect to the sailor, Alexander Journée, the Dutch Consul tells me, that he has no instructions from his Government how to act in such cases.

(Signed)

W. S. M'L.

First Enclosure in No. 86.

Amended Declaration of the Captor.

I, THOMAS GILL, Esq., Commander of His Britannick Majesty's ship "Sparrowhawk," do declare, that on the evening of the 9th of April last, at about the hour 11. 30., being then in or about the latitude of 18° 50' N., and longitude 76° 31' W., I detained the schooner "Santiago," sailing under Spanish colours, of about 43 tons burthen, commanded by Jozé Rivet, who declared her to be bound from Bras, on the Coast of Africa, to the Island of Cuba, with a crew consisting of 9 men, and 1 boy, (including the Captain,) and having on board 108 slaves, said to have been taken on board at Bras, on the Coast of Africa, in or about the middle of February last. I do further declare, that the Officers, consisting of Senior Lieutenant, Second Lieutenant, and Master, who actually went on board the schooner to survey her, and all on board her, did not report to me, that the said schooner was unfit to proceed on her voyage to the Havana.

I further certify, that the above Officers did report to me, that the schooner was supplied with a sufficient quantity of provisions and water, for the support of the said negroes and crew on their destined voyage to Havana, and that they saw no obstacle to her proceeding forthwith.

I do further declare, that the major part of the unhappy crew were in so dreadful a state of disease, (and I offer proof to this fact, one of the unhappy men died whilst at anchor off Smith's Island, in the Harbour of St. Jago de Cuba, and was there buried,) that, having been sent on board, humanity prevented me sending them back, which otherwise I should have done. I further declare, that I was anxious to deliver them up to the proper Authorities at St. Jago de Cuba, but having waited on the Governor 3 times, and not having been able to see him, also the Intendant, whom I could not see, and no one of them having sent to me, I resolved to land them, but not before I had the poor suffering people nearly 3 hours waiting in a boat off the landing place, ready to be received, and whose lives I considered to be in imminent danger, their friends weeping and lamenting, and begging they might be given up to them. Under such circumstances, I trust no blame can be attached to me, since a humane feeling alone for so much misery induced me to give them up to those, whom the poor creatures claimed as their friends. I, however, must further declare, that, notwithstanding all my care and anxiety, one other poor unfortunate man died one hour after he had landed, so it was reported to me.

Witnesses, (Signed)

JOHN JAMES ALLEN.

(Signed)

THOMAS GILL,

Commander.

JOHN JEWELL, Assistant Surgeon.

Havana, May 17, 1330.

Second Enclosure in No. 86.

Abstract of Captain Gill's Evidence.

CAPTAIN THOMAS GILL, Commander of His Britannick Majesty's sloop-of-war "Sparrowhawk," being sworn, and having shewn his instructions, deposed, that the documents in the English language, now produced, are the same the deponent delivered to Mr. Miller, who was, by the deponent's order, charged to bring the Spanish merchant schooner "Santiago" to this port; that the other documents now produced, viz: the licence of the Comandante de Matriculas of Cuba, the muster-roll, the 2 private letters, and the 3 log-books, are the same and only papers which this deponent found on board the "Santiago," and which the deponent then gave to Mr. Miller, in order that they might be delivered up to the Mixed Commission; that the Officers of the "Sparrowhawk," whom this deponent sent on board the schooner, never informed him of the bad state of the vessel, or that she was unfit to proceed alone to this port; that she had on board plenty of provisions for the voyage;—that the deponent transferred all the crew of the schooner to his own ship, in consequence of the bad state of their health, and that he detained them there, in order that they might receive the assistance that humanity demanded, merely sending back to the "Santiago" the Master and one sailor, who were not so unwell as the rest; that the bad state of the crew will best appear from the declaration in the English language, which the deponent now hands in to Court; that, immediately after dispatching the "Santiago" to the Havana, the deponent proceeded to Santiago de Cuba, and there landing, he waited personally on the Governor of that City, in order to acquaint him of the ill state of health in which the crew of the schooner were, and in order to induce him speedily to take charge of them, so that this deponent might continue his voyage to Jamaica, for the correspondence of his Vice-Admiral, which he was directed to carry to New Providence; that, not being able to see the Governor, the deponent went to the house of the Intendant, and could not see him either; that the deponent then gave orders for the crew of the "Santiago" being brought on shore, being still confident, that the Authorities would give orders for their being taken charge of, but, at last, seeing that 3 hours had passed away since they were at the wharf, and without any person appearing; and that the sufferings of these unfortunate beings increased so much that one of them died; the deponent had no other resource, than to leave them in the hands of their relations and friends, who claimed them, in order to afford them assistance in such critical circumstances; that the deponent, in delivering up the crew did not think it necessary to write to the Authorities of Cuba, because, as he went on shore, he expected to have more satisfactorily explained his wishes verbally, by means of an interpreter; and further that, if he had written to the Authorities of Cuba, there would have been a double delay, as this deponent could not have understood their answer in the Spanish language.

Third Enclosure in No. 86.

(Translation.)

Sentence in the Case of the "Santiago."

IN the always most faithful City of the Havana, on the 21st day of May, in the year of our Lord 1830, the Most Excellent Señor Conde de Villanueva, Counsellor of State, Intendant, Superintendent-General of the Army and Royal Revenues, Commissary Judge of the Mixed Commission, and the Commissioners of Arbitration, Don Rafael de Quesada, Alcalde of this said City, and Don W. S. Macleay, being assembled together, by reason of the absence, with permission of this Government, of the British Commissary Judge; and having taken into their consideration the proceedings consequent upon the capture, which His Britannick Majesty's sloop-of-war "Sparrowhawk," commanded by Don Thomas Gill, made on the night of the 9th of April last, and in latitude 19° 18' N., and longitude 76° 27' W., of the Spanish merchant schooner "Santiago," D. José Rivet, Master, with a cargo of 108 Bozal negroes on board at the time of capture, which schooner was on her way to this port, under charge of Mr. Miller, (Mate), and 4 men of the said sloop-of-war, with the Captain and one sailor of the "Santiago," the other individuals of her crew being detained on board the sloop-of-war, when, by reason of her leaky state, the said schooner, not being able to complete her destined voyage to the Havana, was fallen in with, on the 23d of April, in latitude 22° 23' N., and longitude 85° 30' W., by Captain Charles Parker, Commander of His Britannick Majesty's sloop "Slaney," who saw himself under the necessity of transferring on board his own vessel the negroes and other people, and of ordering the "Santiago" to be abandoned, with the exception of certain fragments saved from the wreck, and which are set forth in the inventory, in pages 56 and 58 of these proceedings; Captain Parker, with the "Slaney," arriving in this port, on the 27th of the said month of April, and the slaves being then reduced to 105, owing to the death of 3 during the interval between the detention and the arrival of the "Slaney" in harbour; and it fully appearing, from the declarations of the Captor and others, as well as from the Master and sailor of the "Santiago," no more of the crew having been examined by the Court, as ought to have been done, according to Article 3d of the Regulations annexed to the Treaty, because the Captor discharged them at Cuba, for the reasons alleged in his declaration and certificate; which want of evidence gave rise to the provisional decree of the 5th of this month, the whole circumstances of this particular case offering, practically, difficulties and grievous expenses that might have been avoided, if the prize had been brought into this port by the capturing vessel; and it further appearing, from the documents found on board, that the "Santiago" sailed from the Port of Santiago de Cuba in the month of August 1829, with papers and cargo, for the Isla de Principe, and that she arrived on the Coast of Africa, at a place called Bras, where she embarked 144 slaves, who were reduced to 108 at the time of her capture, and that, owing to 3 more negroes having perished before the arrival of the "Slaney" in this port, the number was farther reduced to 105; therefore the aforesaid Commissioners declare, with due regard to the merits of the case, and according to the brief and summary form of proceeding adopted in all such cases, on the truth being made known to them, that the capture of the schooner "Santiago," and of the negroes on board, is good and legal; that the articles saved from the said schooner, and mentioned in an inventory annexed to these proceedings, are liable to confiscation; and finally, that such of the aforesaid negroes as may still be in existence, are free, for ever, from all slavery and captivity. In consequence thereof, the Commissioners direct, that the aforesaid articles, saved from the wreck, be valued by the principal Masters of the Royal Arsenal, according to the usual form of proceeding, and that they be sold at public auction, in the presence of the Notary of the Royal Finance Department, Don Francisco José de Cower, in order that the proceeds may be applied to the benefit of the two Governments. The Commissioners further direct, that the aforesaid negroes may be supplied, without further loss of time, with their certificates of emancipation, by the Secretary of this Mixed Commission, according to the usual form, and that a letter be addressed to his Excellency the Captain-General, enclosing a copy of the sentence, and informing him, that the individuals of the crew of the detained schooner, now in prison, remain at his Excellency's disposal; and by this their sentence, definitively judging thus, have the Commissioners provided, ordered, and signed, in the presence of their Secretary, who certifies.

(Signed)

CONDE DE VILLANUEVA
RAFAEL DE QUESADA.
W. S. MACLEAY.

(Signed) JUAN FRANCO. CASCALES, Secretary.

No. 87.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, July 19, 1830..

I HAVE communicated to the Board of Admiralty your despatches, relative to the detention of the Spanish slave-vessel the "Santiago," off the Coast of Cuba, by His Majesty's sloop "Sparrowhawk;" and the Admiralty have returned for answer, that their Lordships are of opinion, that, under the peculiar circumstances of this case, Commander Gill was justified in taking so large a proportion of the crew of the slave-vessel on board the "Sparrowhawk," and in landing them at St. Jago, but their Lordships will direct the Ad-

miral in the West Indies, to instruct the Commanders of His Majesty's ships to take care to send the number of the crews, required by the Treaties, to the Havana, to give evidence before the Mixed Commission, and also to pay particular attention to the other formalities required.

His Majesty's Commissioners. I am, &c.
(Signed) ABERDEEN.

No. 88.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received August 1.)

MY LORD,

Havana, May 28, 1830.

ON the 1st instant, the schooner "*Primera Gallega*," D. Antonio Musar, Master, and on the 13th, the schooner "*Primera*," D. Gabriel Perez, Master, sailed from this port, both for the Coast of Africa.

On the 8th instant, the brig "*Catalana*," D. Jayme Ricoma, came into this port, in ballast, after having landed a cargo of slaves on the coast. She was fitted out at Barcelona, I understand, and it is lamentable to perceive, that, while the traffick has very visibly decreased from the Havana, during the last 6 months, it appears to get more vigorous from the mother country. In the case of the "*Catalana*," I have received the customary form of answer from the Captain-General, who informs me, moreover, that on the examination of her papers, by the Comandante de Matriculas, the certificate of a British Officer was found among them, stating that on visiting her, he found nothing on board to justify her detention.

I have some reason to believe the traffick to be more active on the more distant parts of the South Coast of this Island, and Lieutenant Tulloh, of His Majesty's schooner "*Pincher*," acquaints me, that in those more remote places, he has seen several instances of slave-vessels escaping, by the stratagem of transshipping their negroes on board coasting vessels, provided with passports from the Local Authorities, and so landing them under the protection of the 7th Article of the Instructions annexed to the Treaty. I anticipate, however, considerable decrease in the slave-trade soon, from the great fall that has taken place lately in the value of Colonial produce.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K.T.

&c.

&c.

&c.

No. 89.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received August 1.)

MY LORD,

Havana, June 16, 1830.

ON the 21st ultimo, the brig "*Almirante*," which was brought here from Sierra Leone for sale, cleared out from the Havana for Bahia de todos los Santos, under the command of D. Jozé Ramon Zavala. But from circumstances there is great reason to believe, that the final destination of the vessel is the Coast of Africa.

On the 27th ultimo, the Spanish schooner "*Manuelita*," D. Marcelina Rodriguez, Master, and on the 8th instant, the schooner "*Pantica*," D. Pedro Manegat, Master, sailed for Africa.

On the 4th instant, the Spanish brig "*Andromaca*," D. Jozé Lucas Villavaso, Master, arrived in this port, after landing a cargo of slaves on the coast. The Captain-General has returned the usual form of answer to my report of her arrival. I understand that this vessel also was fitted out for the trade from Spain.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 90.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, August, 18, 1830.

I HAVE received the despatches of Mr. Macleay, up to that of the 12th of June.

His Majesty's Government learnt with satisfaction, from Mr. Macleay's despatch of the 23d of April, that the Colonial Authorities had declared, that an investigation should be made into the circumstances attending the case of the "*Santa Rosa*," strongly suspected of having been concerned in illegal slave-trade.

As I have not received any communication from you on this subject, since the date above mentioned, I conclude that you have not yet learnt from the Authorities the issue of this investigation; and I have, therefore, to instruct you to make application in the proper quarter, in order to learn the result of this affair, for the information of His Majesty's Government.

I am, &c.

His Majesty's Commissioners.

(Signed)

ABERDEEN.

No. 91.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, August 31, 1830.

I HAVE caused communication to be made to the Admiralty, from time to time, of the several despatches, which I have received from you, respecting the movements of vessels suspected to be intended for illegal slave-trade.

The Lords of the Admiralty have stated to me, that it is hardly possible, that information of this nature can be sent from home to the African squadron, in time to be of any use; and their Lordships have suggested, that the Commissioners should be directed to endeavour to convey, whenever any direct opportunity may offer, such intelligence, addressed to any of His Majesty's Officers on the other side of the Atlantic.

It appears to me to be probable, that such a course would be attended with benefit to the service on which you are engaged; and I have, therefore, to direct, that you will comply with the suggestion, which has been thrown out by the Admiralty.

I am, &c.

His Majesty's Commissioners.

(Signed)

ABERDEEN.

No. 92.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received September 14.)

MY LORD,

Havana, June 29, 1830.

CAPTAIN RICHARD KEANE, commanding His Majesty's sloop "*Victor*," arrived in the Havana on the 22d instant, with the Spanish brigantine schooner "*Emilio*," alias "*Cesar*," which he detained in latitude 19° 12' N. and longitude 75° 14' W., with a cargo of 192 negroes on board, and having a crew of 20 men.

I have the honour to transmit to your Lordship a copy of the letter, which the Captor addressed to the Mixed Commission, a copy of his declaration and certificates, with an abstract of the evidence produced before the Mixed Commission in this case of detention, and also a translation of their final sentence, which was signed on the 28th instant.

The "*Emilio*," of 85 Spanish tons, armed with 1 4-pounder, 8 muskets, 7 cutlasses, and ammunition to correspond, sailed on the 29th October last, under the command of D. Fernando Lescaya, from Santiago de Cuba direct

for New Calabar, on the Coast of Africa. There she took on board, in exchange for a cargo of dry goods, rum, &c., about 210 or 212 slaves, who were reduced by death to 192, at the time they were detained by the "Victor," on the 11th instant, not far from Santiago de Cuba, their port of destination.

Two of the negroes died in the interval between the capture of the "*Emilio*" and her arrival in port, and 2 more have died since, thus making the number delivered up by Captain Keane to the Captain-General to be 188.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

First Enclosure in No 92.

Captain Keane to the Commissioners at the Havana.

HONOURABLE GENTLEMEN,

H. B. M's. Sloop "Victor," Havana, June 22, 1830.

I HAVE the honour to acquaint you, that I have this day arrived in the Havana, in His Majesty's sloop "Victor" under my command, which, on the 11th instant, detained in latitude 19° 12' N., and longitude 75° 12' W., the Spanish brigantine schooner "*Emilio*," commanded by Don Fernando Lescaya, having a crew of 20 men, including the Captain, and a cargo of 192 negroes on board.

One of the crew, and 2 of the negroes have died since the capture.

I feel it my duty to state, that 2 of the crew are British subjects; one invalided from His Majesty's frigate "*Blanche*," in 1825 or 1826.

The British subjects are, of course, amenable to the laws of their country, for being engaged in this most nefarious traffick.

In bringing the vessel before the Mixed Commission for adjudication, I beg leave to state, that her papers, as delivered to me by the Master, duly endorsed by me, and numbered 1 to 3 inclusive, have been given up by me to His Britannick Majesty's Commissioner.

I have the honour to be, &c.

(Signed)

R. KEANE, Commander.

His Excellency, and the other Honourable Members of the Mixed Commission.

Second Enclosure in No 92.

Captor's Declaration in the Case of the "Emilio."

I, RICHARD KEANE, Esq. Commander of His Britannick Majesty's sloop "Victor," do hereby declare the undermentioned facts, relating to the detention, by me, of the Spanish brigantine schooner "*Emilio*," viz.:—that on the 11th day of June 1830, being in command of His Britannick Majesty's sloop "Victor," at sea, in latitude 19° 12' N., and longitude 75° 12' W., I came up with, and sent on board of the said brigantine schooner "*Emilio*," a Commissioned Officer, (Lieutenant William Sidney Smith), who found negroes on board, including men, women, and children, to the number of 192; that in consequence of this fact, and she being in reality a trader in slaves, I ordered Lieutenant William Sidney Smith to return on board, and, with Mr. Hewlett, (Mate), 9 seamen and 3 marines, to take charge of her, and accompany me to this port. The "*Emilio*" being short of provisions and water, she was furnished by me therewith; and for security against a rising of the "*Emilio's*" crew, I took 17 of them on board His Britannick Majesty's sloop under my command, (one of whom, of the name of Samuel More, died on the morning of the 19th instant), where they have been victualled and provided for, according to the rules of the British service.

Two negroes have died since capture, (as per enclosed certificate from Lieutenant William Sidney Smith, the Officer in charge); and the accompanying paper contains a list of every article, found on board the said brigantine at the time of detention.

And I further declare, that the state of the health of the men, women, boys, and girls, negroes, is as follows, viz.:—

State.	Men.	Boys.	Women.	Girls.	Total.	Remarks.
Healthy ..	53	26	57	43	179	At Capture.. 192
Sick	3	3	1	4	11	Dead
Total	56	29	58	47	190	Total 190

(Signed) JAMES GORDON, Assist. Surgeon His Majesty's Sloop "Victor."

Given under my hand, on board His Britannick Majesty's sloop "Victor," in the Harbour of Havana, this 22d day of June, 1830.

(Signed)

R. KEANE, Commander,

I do further declare, that the Master of the brigantine schooner "*Emilio*" told the boarding Officer, Lieutenant William Sidney Smith, that the said brigantine schooner was bound from the Bight of Biafra, on the Coast of Africa, to St. Jago de Cuba. (Signed) R. KEANE, Captain.

Certificates of the Deaths of Negroes.

No. 1.—This is to certify, that since the detention of the Spanish slave-vessel "*Emilio*," on the 11th instant, by His Britannick Majesty's sloop "*Victor*," and placed under my charge, there have died on board her, the following slaves:—

On the 11th instant, ... 1 male.

On the 14th instant, ... 1 ditto.

Total ... 2 males.

Given under my hand, on board the "*Emilio*," in Havana Harbour, this 22d day of June 1830.
(Signed) WILLIAM SIDNEY SMITH,

Lieut. of H. B. M's. sloop "*Victor*."

(Signed) JAMES GORDON, Assist. Surgeon, of H. B. M's. sloop "*Victor*."

No. 2.—This is to certify, that this day, 1 slave boy has died on board the detained Spanish vessel "*Emilio*," under my charge.

Given under my hand, on board the "*Emilio*," in Havana Harbour, this 24th day of June 1830.
(Signed) WILLIAM SIDNEY SMITH,

Lieut. of H. B. M's. sloop "*Victor*."

(Signed) JAMES GORDON, Assist. Surgeon of H. B. M's. sloop "*Victor*."

No. 3.—This is to certify, that this day, 1 slave girl has died on board the detained Spanish vessel "*Emilio*," under my charge.

Given under my hand, on board the "*Emilio*," in Havana Harbour, this 25th day of June 1830.
(Signed) WILLIAM SIDNEY SMITH,

Lieut. of H. B. M's. sloop "*Victor*."

(Signed) JAMES GORDON, Assist. Surgeon of H. B. M's. sloop "*Victor*."

Third Enclosure in No. 92.

Abstract of Evidence in the Case of the "Emilio."

CAPTAIN RICHARD KEANE, commanding His Britannick Majesty's sloop "*Victor*," being sworn, and having shewn his instructions, deposed, that the declaration now produced is signed by the deponent, and that the contents thereof are true; that the documents, numbered 1 to 3, delivered up by the deponent to the British Commissioner, viz: the muster-roll, patent of navigation, and log-book of the brigantine schooner "*Emilio*," are the only papers this deponent found on board the detained vessel.

William Sydney Smith, Lieutenant of His Britannick Majesty's sloop "*Victor*," being sworn, deposed, that he is Prize-Master of the "*Emilio*," and that the paper certifying the death of 2 negroes previous to entering this port, as well as the other papers now produced, are duly signed by the deponent; that he now delivers in certificates of the death of 2 other negroes, a boy and girl, who have died since arrival in harbour; that, with respect to the inventory of the detained vessel delivered into Court, this deponent must state, that 3 jibs do not now exist, one having been cut up to mend the others; that every thing else, mentioned in the inventory, except this jib, and the provisions which were consumed by the negroes, still exist, in readiness to be delivered up to the Mixed Commission, and that since the inventory was delivered to the British Commissioner, 43 pieces of African cloth have been discovered on board, and that possibly other articles, not in the inventory, may yet be found, on the negroes being taken out of the vessel.

James Gordon, Assistant-Surgeon of His Majesty's sloop "*Victor*," being sworn, deposed, that the various certificates of the deaths of negroes on board the "*Emilio*," now produced, are duly signed by the deponent.

Don Fernando Lescaya, 35 years of age, a native of Santiago de Cuba, unmarried, and a catholic, being sworn, deposed, that he is Master of the Spanish brigantine schooner "*Emilio*," alias "*Cesar*;" that his vessel was detained by His Britannick Majesty's sloop-of-war "*Victor*," on the south side of this island, about 14 leagues from land; that the said sloop-of-war has brought the "*Emilio*" into this port, on account of having found a cargo of Bozal negroes on board; that this deponent took these negroes on board at New Calabar, on the Coast of Africa, to the number of 210, as well as this deponent recollects; that, when the English sloop-of-war detained the "*Emilio*," on the 11th of this month of June, there were 192 negroes of the cargo alive, of whom 2 died before the arrival in this harbour; that this deponent understands that 2 more have died since; that all the provisions of the "*Emilio*" were consumed in maintaining the crew and negroes round to the Havana; that there was no other cargo on board the detained vessel; that the "*Emilio*" sailed from Santiago de Cuba on the 29th October last, with a cargo of dry goods, rum, &c., directly for that point on the Coast of Africa, where the negroes were embarked; that this deponent is the Owner and Supercargo of the "*Emilio*;" that the papers now produced, viz. first, the muster-roll; secondly, the license of the Comandante de Matriculas of Cuba, in lieu of royal passport; and thirdly, the log-book, are the same with which the "*Emilio*" sailed from Africa, and which this deponent delivered to the English Commander.

D. Juan Rosendorf, aged 42, a native of Copenhagen, in the Kingdom of Denmark, and now resident in the West Indian Island of St. Thomas, unmarried, and a protestant, being sworn, deposed, that he is First Mate of the brigantine schooner "*Emilio*," which was detained by the English corvette "*Victor*," 40 miles from the south side of the island, on the 12th of this month; that the "*Emilio*" was brought to the Havana on account of having Bozal negroes on board; that 211 or 212 negroes were indeed taken on board the "*Emilio*" at New Calabar, on the Coast of Africa; that this deponent cannot state the exact number of negroes embarked, but that some died on the passage; that the deponent cannot state how many remained alive at the moment of detention, or even if there were more than 190; that there was no cargo on board; that the provisions were all used by the slaves and crew; that this deponent knows not how many negroes have died since the detention, because he was carried on board the "*Victor*"; that the "*Emilio*" left Cuba on the 29th or 30th of October last, and directed her course straight for the Coast of Africa, having on board a cargo of dry goods, aguardiente, &c.; that this deponent knows no other Owner or Supercargo of the "*Emilio*" than Don Fernando Lescaya, her Master; that the papers now produced, numbered 1 to 3 inclusive, are the papers of the "*Emilio*"; that the log-book is written by this deponent, with the exception of a short time that he was confined by fever on the Coast of Africa.

Antonio Fernandez, aged 28, native of Cartagena de Levante, but now resident in the City of Cuba, unmarried, and a catholic, being sworn, deposed, that he is Boatswain of the brigantine schooner "*Emilio*," detained at sea by His Britannick Majesty's sloop "*Victor*," on account of having Bozal negroes on board; that it was at New Calabar, on the Coast of Africa, that the "*Emilio*" embarked 212 slaves, of whom only 192 remained alive at the moment of detention; that there was no cargo on board the "*Emilio*," and that her provisions have all been used; that 2 negroes died after the detention, and before the "*Emilio*'s" arrival in the Havana; that this deponent knows not whether any others have died since; that the "*Emilio*" sailed direct from Cuba for the Coast of Africa, with a cargo of aguardiente, &c.; that this deponent was appointed Boatswain by D. Fernando Lescaya, who is Master and Owner of the "*Emilio*"; that the papers now produced are truly those of the detained vessel; that this deponent cannot sign the present declaration, on account of a wound in his right hand.

Fourth Enclosure in No. 92.

Sentence in the Case of the "Emilio," alias "Cesar."

IN the always most faithful City of the Havana, on the 28th day of June 1830, the Most Excellent Señor Conde de Villanueva, Counsellor of State, Intendant, Superintendent-General of the Army and Royal Revenues, Spanish Commissary Judge of the Mixed Commission, and Colonel Don Rafael de Quesada, Alcalde of this City, and Don William Sharp Macleay, Commissioners of Arbitration, this last being also the British Commissary Judge elect, being assembled together, and having taken into consideration the proceedings consequent upon the capture, which His Britannick Majesty's corvette "*Victor*," commanded by Don Richard Keane, made on the 11th instant, in latitude 19° 12' N., and longitude 75° 12' W. of the merchant brigantine schooner "*Emilio*," alias "*Cesar*," D. Fernando Lescaya, Master, Owner and Supercargo, having on board at the period of detention, 192 Bozal negroes, of whom 4 have died previously to the 25th instant, according to the certificates annexed to the proceedings, thus reducing the number of negroes to 188; and it being fully proved, as well by the declarations of the various witnesses examined, as by the papers found by the Captors on board the said brigantine schooner, that she sailed from the port of Santiago de Cuba on the 29th of October 1829, with papers and a cargo for the Isla de Principe, but made direct for New Calabar, on the Coast of Africa, where she took on board about 210 slaves, of whom 192 were found alive at the period of detention, the others having died on the passage, and 4 more having died after the detention, the number was reduced, on the 25th of this month, to 188. Whereupon the Commissioners resolve, that they ought to declare, and do hereby declare, with all due consideration to the merits of the case, and according to the brief and summary mode of proceeding adopted in all similar instances, on the truth being made known, that the capture of the brigantine schooner "*Emilio*," together with 43 pieces of African cloth, (manifested by the Prize Master in his declaration folio 4th of these proceedings, but by mistake not inserted in the inventory of the "*Emilio*," drawn up on the 11th instant, at the moment of detention), and of 192 negroes found on board, is good and legal, and that the said brigantine schooner, with all her tackle and apparel, and the above mentioned 43 pieces of African cloth, are subject to confiscation, while the above mentioned 188 negroes are free from all slavery and captivity. And the Commissioners order, that the said vessel be valued, under oath, by the principal Masters of the Royal Dock Yard, and the African cloth by other intelligent persons, and that the whole be sold at publick auction before the Escribano of the Royal Finance Department, Don Francisco Jozé Cower, and that the proceeds thereof be applied to the benefit of the two Governments, the said vessel being for the present, as well as every thing on board, placed in deposit with, and under the charge of Don Jayme Andreu, who shall likewise swear faithfully to perform his duty, and shall receive her from the Captor, according to formal inventory. The Commissioners shall likewise proceed, without further loss of time, to deliver the above-mentioned 188 negroes, or such of them as may be alive, their certificates of emancipation, through the medium of their Secretary, as is customary, and they shall likewise address a letter, with a certified copy of this sentence, to his Excellency the Captain-General, in order that he may take the proper steps to give it effect, and because the crew of the said brigantine schooner remain in prison at his Excellency's disposal. And by this their sentence, definitely judging, thus have the Commissioners provided; ordered, and signed, in the presence of their Secretary, who certifies.

(Signed)

CONDE DE VILLANUEVA.
RAFAEL DE QUESADA.
WILLIAM SHARP MACLEAY.

(Signed)

JUAN FRANCISCO CASCALES, Secretary.

No. 93.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received September 14.)

MY LORD,

Havana, July 1, 1830.

AGREEABLY to the 75th clause of Act of 5 Geo. IV. cap. 113, I have the honour to lay before your Lordship, the return of the cases adjudicated during the last half year, by this Mixed Commission.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
 &c. &c. &c.

Enclosure in No. 93.

Return of Cases Adjudicated by the Mixed Commission at Havana, during the Half Year ending 1st July 1830.

Date of Seizure.	Property Seized.	SEIZOR.	Date of Sentence.	Decretal part of Sentence, whether Forfeiture or Restitution.	Whether Property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the Proceeds remain.
1830.			1830.		
April 9	{ Spanish schooner Santiago, with 108 negroes alive on board .. }	{ Captain Thomas Gill, commanding H.M.'s sloop Sparrowhawk... }	May 21	Forfeiture	{ This schooner foundered at Sea after capture; the crew and negroes being saved, together with a very few trifling articles, by His Majesty's sloop Slaney. These articles have not yet been sold, and remain in deposit with D. Jayme Andreu.
June 11	{ Spanish brigantine schooner Emilio, alias Cesar, with 192 negroes alive on board	{ Captain Richard Keane, commanding H.M.'s Sloop Victor... }	June 28	Forfeiture	{ This vessel, tackle, &c. remain for sale by publick auction, and at present remain in deposit with D. Jayme Andreu.
				(Signed)	W. S. MACLEAY.

No. 94.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received September 14.)

MY LORD,

Havana, July 2, 1830.

I AM sorry to state that, among the very miscellaneous crew of the brigantine schooner, "*Emilio*," alias "*Cesar*," Captain Keane found 3 British subjects, viz. Samuel Moore, Robert King, and William Murray. Moore, who was Carpenter of the slave-vessel, died before her arrival at the Havana, and on my being asked by Captain Keane, what he should do with the other 2 men, I directed him to detain them, and addressed to the Captain-General the note, a copy of which I have now the honour to enclose.

Robert King is, according to his own confession, a native of Dublin, who invalided from His Majesty's frigate "*Blanche*," on the South American Station, in 1825 or 1826. He is now in the very last stage of sickness.

William Murray is a man of colour, and native of the Bermudas. Neither of these men appear to have entered their names on the muster-roll, but

perhaps they may have entered under Spanish names. Still, as the Mixed Commission did not stand in any need of their evidence, I considered the present to be a fair opportunity of urging the right of His Majesty's Naval Officers to detain such British subjects as they may have discovered to be engaged in this illicit traffick under the Spanish flag. The Spanish Commissioners wrote on the 26th ultimo to the Captain-General, urging his Excellency to demand these men, as in the case of the "*Santiago*," formerly condemned, but, whether, from the arguments upon which they grounded their opinion not being considered very valid, or from some other cause, the Governor has addressed no letter to me on the subject, and I have heard no more about it. On the 29th the "*Victor*" sailed with the 2 men on board.

I beg leave to enclose a translation of the letter, which the Spanish Commissioners addressed, on this subject, to the Captain-General.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

First Enclosure in No. 94.

W. S. Macleay, Esq. to the Captain-General.

Havana, June 23, 1830.

THE Undersigned, Commissioner of His Britannick Majesty, has the honour to acquaint his Excellency the Captain-General, that His Majesty's sloop "*Victor*," commanded by Captain Keane, has arrived in this port with the Spanish brigantine schooner "*Emilio*," alias "*Cesar*," which was captured off Punta Escondida, on the south coast of this island, on the 11th instant, with a cargo of 192 negroes, and having a crew of 20 men, including the Master, Don Fernando Lescaya.

The Undersigned is sorry to say, that since the period of detention, 1 of the crew has died and 2 of the negroes.

The Undersigned, in consequence of orders from His Majesty's Government, is obliged to instruct Captain Keane to detain 2 of the men, viz. Robert King and William Murray, as British subjects, (the first of whom invalidated from His Majesty's frigate "*Blanche*," in 1825 or 1826,) and to place them at the disposal of His Majesty's Government.

The Undersigned, in placing the rest of the crew and the negroes at his Excellency's disposal, to abide the sentence of the Mixed Commission, requests that such of the former may be forthcoming, as may be required to give their evidence before the Commissioners.

The Undersigned has the honour, &c.

His Excellency the Captain-General.

(Signed)

W. S. MACLEAY.

Second Enclosure in No. 94.

(Translation.)

The Spanish Commissioners to the Captain-General.

MOST EXCELLENT SIR,

Havana, June 26, 1830.

FROM the declaration which we have just taken, and from the other evidence produced in the case of the brigantine schooner "*Emilio*," detained by His Britannick Majesty's corvette "*Victor*," on account of having Bozal negroes on board, it appears that Captain Richard Keane intends to detain 2 individuals of the crew of the "*Emilio*," as being subjects of His Britannick Majesty. Wherefore we the Undersigned, Spanish Commissioners, cannot refrain from observing to your Excellency, that those 2 individuals ought also to be placed, until the definitive sentence shall have been issued, at the disposal of the Mixed Commission, in conformity with Article IX of the Treaty for the abolition of the slave-trade, and with Article I of the Instructions annexed to the Treaty, which authorize Spanish or English vessels-of-war to detain slave-vessels, and having detained them, to bring them for judgment before one of the Mixed Commissions, and likewise, because the abovementioned 2 individuals having been found under the Spanish flag, and being now in a Spanish port, ought to be delivered up to the Spanish Authorities, until it shall be sufficiently proved that they really are subjects of another nation.

God preserve your Excellency many years.

(Signed)

EL CONDE DE VILLANUEVA.

RAFAEL DE QUESADA.

His Excellency the Captain-General.

No. 95.

W. S. Macleay, Esq. to the Earl of Aberdeen. — (Received September 14.)

MY LORD,

Havana, July 3, 1830.

ON the 28th ultimo, the Spanish schooner "*Prueba*," D. Antonio Ferreira, Master, sailed for the Coast of Africa.

2 H

On the 16th June arrived the schooner "*Amistad Habanera*," D. Juan Bautista Arrarte, Master; on the 21st ultimo, the schooner "*Asumpcion*," Don Francisco Azpeitia, Master; and on the 25th ultimo, the schooner "*Iberia*," Don Antonio Solan, Master, and the brig "*Urraca*," D. Juan Casas, Master, all from the Coast of Africa, after having landed cargoes of slaves on the coasts. The Captain-General has returned me the usual form of answer respecting each of these 4 arrivals.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon the Earl of Aberdeen, K T.

&c.

&c.

&c.

No. 96.

W. S. Macleay, Esq. to The Earl of Aberdeen. — (Received September 14.)

MY LORD,

Havana, July 17, 1830.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch, dated the 24th of April last, transmitting, for the information of His Majesty's Commissioners, and for any observations which they may have to submit thereupon to the consideration of their Government, copies of a despatch, and of its enclosures, from His Majesty's Envoy at Madrid, by which it appears, that the Spanish Government has refused to accede to the conclusion of an Article, declaring ships, obviously fitted up for the slave-trade, to be thereby subject to condemnation, but, at the same time, has issued a Royal Order, enjoining a rigorous observation in future, of the stipulations of the Treaty of 1817, to the Captains-General of Cuba and Puerto Rico. The above refusal of the Spanish Government I learn with extreme regret, because, while it is particularly painful to be obliged to submit any observations to your Lordship's consideration, that would imply doubts to exist in my mind as to the sincerity of Spain in issuing the new order, I cannot blind myself to obvious facts. By this decree the Treaty is once again directed to be scrupulously observed, but without the least enquiry into the cause of the Spanish laws, on the same subject, having been so long inefficacious, or the least censure on those, whose duty it was to have carried them into effect. I cannot, therefore, but agree with His Majesty's Envoy at Madrid, in entertaining doubts of the efficacy of any such Royal Order, after what has notoriously taken place under decrees of nearly the same tenour. Indeed, I conceive myself justified in even going farther, and in stating, that its inefficacy is demonstrated by the following simple facts. This Royal Order was issued on the 4th March last. Another Royal Order, dated the 8th of the same month, was published here in the "*Diario*," on the 15th May, so that we may fairly presume the preceding Royal Order, to have been in the hands of the Havana Authorities about the same time. Now, since the 15th May last, 8 vessels, as will appear by the enclosed list, have entered the Port of the Havana, after landing their cargoes of slaves, and what is still more distressing, 6 have sailed for the Coast of Africa, 3 of them publicly, and 1 (an American brig) cleared out so lately as yesterday. Whatever objections Spain may entertain to exposing her sailors, implicated in this traffick, to the penalties of piracy, whatever arguments she may have discovered, to support her refusal to subject vessels fitted up for the slave-trade to condemnation, I must confess, if she be sincere in her declared wish to repress this nefarious species of commerce, that it is impossible for me to understand, how she should still permit vessels, notoriously fitted up for the slave-trade, to sail publicly for the Coast of Africa, from the Havana, with Government Passports, and often under convoy. Nay this is, if possible, still more inconceivable, when we may, in fairness, conclude, that the Captain-General ought, long since, to have furnished his Government, with those lists of vessels cleared out for the Coast of Africa, which were required of him by the Royal Order of 30th June 1828.

I have already had the honour of observing, that the present Royal Order, so far from laying down any new regulation for the repression of the traffick, does not even take the least notice of the necessity of more exactly exe-

cutting the Cedula of December, 1817, and the Royal Order of 2d January, 1826, and merely confines itself to requiring a punctual observance of the Treaty, without specifying in what particular respect this has been already infringed. It may be necessary to state to your Lordship, that there is an erroneous idea too prevalent in the Havana, that the stipulations of the Treaty are complied with, when the Mixed Commission is allowed the full exercise of its duties, with regard to vessels captured by His Majesty's cruisers; and my experience of the Spanish mode of interpreting Royal Orders, serves to convince me, that the above omission of any mention of the former Spanish laws on the subject of the slave-trade, would render this Royal Order a nullity, even if it ever came into the hands of the Captain-General. The truth is, that those Spanish laws were made to give full effect to the Treaty, and it is of the direct or indirect breach of those laws that His Majesty's Government have most to complain. I must, therefore, declare, that, instead of this new Royal Order being, as Mr. Salmon declares, *energetic*, it is, in my humble opinion, even more feeble than the many preceding ones on the same subject. Nearly 12 years have been allowed to elapse, in open contempt of the King's Orders, and still blame is attached no where; decree after decree has been made, and eluded, and at this very late period, the Treaty is merely directed to be observed, while not the slightest precaution is taken to amend the notorious inefficiency of the present state of the Spanish law. When I venture to make use of the words "notorious inefficiency," I mean, in the eyes of the Havana Authorities, for I am bound to believe, that the Spanish Tribunals really deem these laws to be faulty, or they would never have allowed *every* vessel, denounced to them by His Majesty's Commissioners, to have escaped punishment.

But there is still another remark, which it is my duty here to make humbly to your Lordship. The Royal Orders of 30th June, 1828, and of 4th March, 1830, the 2 latest on the slave-trade, have never yet been published in the Havana. Why should these decrees alone not be promulgated? They not only have never appeared in the "Diario," as I cannot but think they would have done, had they related to any other subject, but I have never heard their existence mentioned in any society. They might as well, therefore, as far as the Havana is concerned, have never been issued. The first of them involved a strong censure of an Auditor-of-War, and therefore reasons may be imagined for its having been suppressed from the knowledge of the publick, but this last Royal Order is liable to no such objection, and merely requires a scrupulous observance of the Treaty. Now, I will venture to express my firm conviction, that no Royal Order on the subject of the slave-trade, supposing it to have been received from Madrid, can ever have any the slightest efficacy in the Havana, unless it be made publickly known in the official organ of the Local Government. Certain laws have been, for years, hitherto eluded, or at least not carried into execution, surely then, it is necessary, and barely just, to inform the publick, that these laws are henceforward to be rigorously executed, if such be really the intention. It appears even more necessary, when we reflect that the slave-traders, as I have before had the honour of stating to your Lordship, imagine themselves to be protected by their Government.

I have mentioned above, that 6 vessels have sailed from this port for Africa, since the 15th of May last, and it may possibly be urged that, compared with the 2 preceding years, this is a very small number, and argues some disposition in the Local Authorities to repress the traffick. But the law is as clearly made useless, if one publick departure for the African Coast be allowed as if 20 licences were given, and I am sorry to state, that the diminution of the number of departures this year is to be attributed, not in any degree to preventive measures, on the part of the Spanish Government, but solely to the present very distressed state of colonial agriculture, and to the heavy losses which some of the slave-traders have experienced by captures.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 96.

List of 8 Slave-vessels arrived in the Havana from the Coast of Africa since the 15th of May 1830.

Date.	Class.	Name.	Observations.
4th June	Brig	Andromaca	{ Landed her slaves at Trinidad, on the South coast. { Reported from the Cape de Verds, but in reality a slave-vessel.
16th —	Schooner	Amistad Habanera.	
21st —	Ditto	Asumpcion	
25th —	Ditto	Iberia	
25th —	Brig	Urraca	
3d July	Schooner	Indagadora	
4th —	Brig	Negrita	
16th —	Schooner	Barbarita	

List of 6 Slave-vessels sailed from the Havana, for Africa since the 15th May 1830.

Date.	Class.	Name.	Observations.
21st May	Brig	Almirante	{ Cleared out for Bahia in Brazil.
27th —	Schooner	Manuelita	
8th June	Ditto	Pantica	
28th —	Ditto	Prueba	{ Cleared for St. Thomas. { Dispatched to the Coast of Africa, it is said, in order to give aid to blockaded slave-vessels.
14th July	Brig	Dos Amigos	
16th —	Ditto	Lyon	

Havana, July 17, 1830.

No. 97.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received September 14.)

MY LORD,

Havana, July 19, 1830.

ON the 3d instant, arrived in this port, after landing a cargo of slaves, the schooner "*Indagadora*," D. Juan Jozé Rodriguez, Master. I reported her to the Captain-General immediately on her arrival, but his Excellency has returned me the usual form of answer.

On the 4th instant arrived the brig "*Negrto*," D. Antonio Malbar, Master; and on the 9th, the brig "*Servando*," alias "*Gallo*," D. Francisco Saenz, Master. Neither of these vessels were reported to the Captain-General, because, the first having entered as from the Cape de Verde Islands, and not having been fitted out from the Havana, I did not learn that she had landed slaves on the coast, until some days after her arrival in port, and when it was too late to expect any investigation. The "*Servando*" was not denounced, because, although a noted slave-trader, she left the Coast of Africa without slaves, the Master's story being, that, after he had waited for many

weeks at the place to which he was dispatched, the natives, owing to some quarrel, rose and massacred the whole of the factory, obliging this slave-vessel to return without a cargo.

On the 10th instant, sailed for the Island of St. Thomas, the Spanish schooner "*Dos Amigos*," D. Jozé Ramon Mujica, Master; and on the 16th instant, the American brig "*Lyon*," J. Mackenzie, Master, cleared out for the Coast of Africa. I beg to call your Lordship's attention to this last vessel, which has been publickly cleared out for the Coast of Africa, by Messrs. Zangroniz and Co. of this City.

I have, &c.
(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

P. S.—27th July, 1830.—I beg leave to state to your Lordship, that I am told the brig "*Lyon*" did not finally sail until to-day, and that she was cleared out as a Spanish vessel.

(Signed)

W. S. M'L.

No. 98.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received September 14.)

MY LORD,

Havana, July 31, 1830.

I AM sorry to have to state to your Lordship further proofs of the inefficiency of the late Royal Order.

On the 16th of July arrived, after landing a cargo of slaves, the "*Barbarita*," Don Gaspar Prats, Master; and I have had the usual form of answer respecting her from the Captain-General.

On the 19th instant, the Spanish brig "*Andromaca*," Don Ramon Gonzalez, sailed for the Coast of Africa; and on the 25th, no less than 3 vessels, viz. the brigs "*Urraca*" and "*Joven Maria*," commanded respectively by Domingo Antonio de Castro, and Antonio Gonzalez Carabajal, with the notorious schooner "*Amistad Habanera*," Don Juan Bautista Arrarte, Master.

This day also has sailed the schooner "*Indagadora*," Don Angel Ximenes, for the same destination.

I have, &c.
(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

No. 99.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received September 27.)

MY LORD,

Havana, August 20, 1830.

ON receiving the letter, a copy of which I have the honour to enclose, from His Majesty's Consul at New Orleans, I addressed a copy of it to his Excellency the Captain-General. The schooner "*Phœnix*," therein stated to have been captured by the United States schooner "*Grampus*," sailed, as I had the honour of reporting to your Lordship at the time, from this port for the Coast of Africa, on the 1st of April of last year. There is some reason to believe, however, that she has been engaged in piracy since that period, and that the slaves she had on board at the time of capture were taken from some other slave-vessel.

I beg leave to enclose a copy of my note to the Captain-General, and a translation of his Excellency's answer.

I have, &c.
(Signed)

W. S. MACLEAY;

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

First Enclosure in No. 99.

His Majesty's Consul at New Orleans to W. S. Macleay, Esq.

Sirs,

British Consulate, New Orleans, July 23, 1830:

A FEW days since, the "Grampus," United States schooner, brought in the Spanish schooner "Phoenix," of Havana, having detained her off Haiti on suspicion of piracy; the crew were brought up 2 days since before the United States Court, when no evidence appearing against them, they were discharged. The schooner is in the hands of the Marshal, and awaits the instructions from Washington as to her cargo, which consists of 74 Africans.

The "Phoenix" of Havana was formerly the "Trimmer" of New Orleans, about 70 tons burthen, had on board about 90 slaves, of whom 74 are now living.

I am, &c.

The British Commissioners

(Signed)

GEORGE SALKELD, Consul.

Second Enclosure in No. 99.

W. S. Macleay, Esq. to the Captain-General.

Havana, August 16, 1830.

THE Undersigned, Commissioner of His Britannick Majesty, has the honour to enclose to his Excellency the Captain-General, a copy of a letter, which he has received from His Majesty's Consul at New Orleans, dated the 23d ultimo, and which details an infraction of the Treaty for the abolition of the slave-trade, on the part of the Spanish schooner "Phoenix." As the Undersigned will have to transmit the particulars of this affair to his Government, he begs previously to lay them before his Excellency.

The Undersigned has the honour, &c.

His Excellency the Captain-General.

(Signed)

W. S. MACLEAY.

Third Enclosure in No. 99.

(Translation.)

The Captain-General to W. S. Macleay, Esq.

Sir,

Havana, August 19, 1830.

WITH your letter of the 16th instant, I have received a copy of the letter addressed to you by the Consul of His Britannick Majesty in New Orleans, and which relates to a breach of the Treaty for the abolition of the traffick in slaves, on the part of the Spanish schooner "Fenix," of the Havana, and I beg to inform you, in answer, that if this vessel should ever come into this port, she shall be instantly proceeded against, according to the Royal Orders which refer to such cases.

God preserve you many years.

Señor D. W. S. Macleay.

(Signed)

F. D. VIVES.

No. 100.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, October 11, 1830.

I HAVE received your several despatches, up to that of the 20th of August.

With reference to the facts and observations, contained in your despatches on the "Santiago" and "Midas," and especially with reference to the questions arising out of the circumstances of Ribet, the Master of the "Santiago" and Journée, a black sailor belonging to that vessel, both of them individuals who were suspected to be British subjects, I have to transmit to you, for your information and guidance, the accompanying copy of a letter, which has been addressed by the Secretary to His Majesty's Treasury, to one of the Under Secretaries of State for this Department, containing the opinion of the Lords of His Majesty's Treasury, upon the course to be pursued in respect to the case in question, and to other cases which may arise, involving questions similar to those which have been raised on the present occasion.

I am, &c.

(Signed)

ABERDEEN.

His Majesty's Commissioners.

Enclosure in No. 100.

The Hon. J. Stewart to J. Backhouse, Esq.

Sir,

Treasury Chambers, September 17, 1830.

I AM commanded by the Lords Commissioners of His Majesty's Treasury to acquaint you, for the information of the Earl of Aberdeen, that they have had under consideration your letter of the 10th of July last, on the subject of the detention of the Spanish vessel "*Santiago*," on a charge of having been concerned in illegal slave-trade; and the attention of their Lordships having been directed to the question, which involves the national characters of Ribet, the Master, and Journée, a black sailor belonging to that vessel, it appears to my Lords, that the circumstances of suspicion attaching to the Master are, that he confessed, while on board His Majesty's ship "*Slaney*," that he was a native of Malta, and it is represented that his Italian pronunciation, and almost utter ignorance of the Spanish language, tended to confirm that confession. It however appears, by his examination on oath before the Mixed Commission Courts, that he was a native of Barcelona, and a resident of Leghorn. Under these circumstances, there being no further evidence, it seems impossible to ascertain the truth, and though it is most desirable to enforce the law against British subjects engaged in the slave-trade, yet my Lords are of opinion, that, in the present instance, there is not sufficient proof to put this individual on his trial, and, therefore, that it would not be advisable to give any directions with regard to this person.

With regard to the national character of Alexander Journée, the other individual who was sent to Havana, the suspicion which attaches to his being a British subject, appears to be somewhat stronger. The facts stated certainly raise a strong suspicion, but do not, in the opinion of my Lords, amount to that degree of proof, which would be deemed requisite to ensure a successful result to a prosecution, and considering the expense incidental to bringing this person to trial, and the improbability of obtaining evidence to prosecute to a conviction, my Lords do not consider it to be necessary to give any directions with respect to this person also.

My Lords observe, that the Commissary Judge, in his letter of 7th May, requests to be furnished with directions on the following points, viz:

1st.—Whether a frank confession, made to the Mixed Commission by any British sailor who may be taken in a Spanish slave-vessel, and which tends to her condemnation, gives him a claim to favourable consideration on the part of His Majesty's Commissioners.

2d.—Whether His Majesty's Commissioners, or Naval Officers, are justified in refusing to deliver up to the Local Government, a person whom they may believe to be a British subject, and whom they may know to have been captured on board a Spanish slave-vessel.

3d.—As to the particular test, by which His Majesty's Commissioners ought to determine a man to be a British subject, who declares a false name and birth-place, or makes a false entry in the muster-roll of a slave-vessel, a plan without doubt which all Englishmen engaged in this nefarious traffick, will adopt, as soon as the affair of the "*Midas*" shall be made more publick. My Lords are of opinion, that it is impossible to give any conclusive answers to these questions, or to furnish the Commissary Judge with any precise and definite instructions on this subject. In the present state of the law, in order to convict any person engaged in the slave-trade, out of His Majesty's dominions, it is necessary to establish, by evidence, that the individual prosecuted is a British subject; it very frequently happens, perhaps in a majority of cases, that national character is most difficult of proof, and it is certainly impossible to foretell what specific proof will be requisite in any particular case, to ensure a conviction. The admission of the individual, that he is a British subject, and the making of false entries, are circumstances only, which, in conjunction with other facts, may make such a case, or would induce a jury to find that the person prosecuted was a British subject, and consequently guilty of the offence charged. It appears to my Lords, that the only directions which can be given to any British Authorities, likely to meet with cases of this kind, are, that they should, in every case where a person found engaged in the slave-trade, is suspected of being a British subject, exercise their best judgment and discretion in determining whether there is sufficient *prima facie* evidence to prove that the individual is a British subject. If the circumstances warrant an affirmative conclusion, my Lords conceive that the offender should be detained, and sent by the first opportunity to the most convenient part of the British dominions, with a full statement of all the facts, and the evidence which can be adduced, that His Majesty's Law Advisers may then determine whether a prosecution should be commenced or not. My Lords are well aware, that in this, or in any other course, there may be many difficulties, but they are decidedly of opinion, that some measures should be adopted to prevent, on the one hand, the mischief of ineffectual prosecutions, and on the other, the very serious evil of the offence becoming more frequent by impunity.

I am, &c.

(Signed)

J. STEWART.

J. Backhouse, Esq.
&c. &c. &c.

No. 101.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received November 10.)

MY LORD,

Havana, September 13, 1830.

I AM honoured by the receipt of your Lordship's despatch, dated 28th June last, transmitting, for the information of His Majesty's Commissioners, a copy of a letter, dated 13th May, 1830, and addressed by the Secretary of

the Admiralty, to Mr. Backhouse, on the subject of the 5 men captured on board the "*Midas*," together with its enclosure, being a copy of the Report of the Solicitor of the Admiralty on the same subject.

I observe the opinion of the latter gentleman to be, that the muster-roll of the "*Midas*" cannot be made legal evidence, to shew of what countries the 5 men in question are natives, without additional proof, that the entries relating to those individuals were made with their privity, or from representations they had given of themselves, I confess my inability to meet this objection, as it is not to be supposed that any person in the Havana will come forward to give evidence against persons concerned in the slave-trade. But although I have ever suspected the existence of the difficulty now brought forward by the Solicitor of the Admiralty, I thought it my duty, in a case of such urgent importance, to forward to England the best evidence in my power, which was a certified copy of the muster-roll.

I have every reason to believe, from Lieutenant Sherer's communications to me, that these men, or at least a part of them, did admit to that gentleman, that they were British subjects; but of course this fact can be best established in England, where Lieutenant Sherer now is.

In consequence of the difficulties which occurred in bringing these 5 prisoners to trial at Jamaica, and at St. Christopher's, they were brought back to this port in the month of April last, being then on their way to England, on board His Majesty's ship "*Barham*," bearing the flag of the Vice-Admiral, the Hon. C. E. Fleeming. I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 102.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received November 10.)

MY LORD,

Havana, September 18, 1830.

I HAVE the honour to inform your Lordship, that, on the 31st July last, the Spanish schooner "*Indagadora*," D. Angel Ximenes, sailed from this port, to the Coast of Africa.

I have also to state, that the Spanish schooner "*Ligera*," alias "*Intrepida*," arrived in the Havana on the 9th instant, after having previously landed a cargo of slaves. She came into port under the command of D. J. ozé Ramon Zavala, and I have this day received from the Captain-General a communication, stating, that although nothing in her log-book has appeared to implicate her in the prohibited traffick, there have evidently occurred certain disputes on board, between the Master and his crew, that will require further investigation on the part of the Local Government.

I have &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 103.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, November 29, 1830.

WITH reference to your despatch of July 2d, respecting the British subjects found on board the Spanish vessel "*Emilio*," condemned for illegal slave-trade.

I herewith transmit to you, for your information, the copy of communi-

cations which have been received at this Office, from the Admiralty, and from His Majesty's Treasury, by which you will perceive, that the Lords of His Majesty's Treasury are of opinion, that the men in question should be delivered up to the Civil Authorities, at the nearest British colony, which may be in possession of a Commission under the Act 41 Geo. III, cap. 54, for the purpose of their being brought to trial, and that measures have been taken under their Lordships' directions, for carrying this proceeding into effect.

I am, &c.

(Signed)

PALMERSTON.

His Majesty's Commissioners.

First Enclosure in No. 103.

J. Barrow, Esq. to J. Backhouse, Esq.

SIR,

Admiralty Office, November 5, 1830.

IN reference to your letter of the 30th of September last, and the papers that accompanied it, in which it is represented, that the 3 British subjects, Samuel Moore, Robert King, native of Dublin, and William Murray, a man of colour and native of Bermuda, were found serving on board the Spanish vessel "*Emilio*," alias "*Cesar*," captured by His Majesty's sloop "*Victor*," and condemned at the Havana for illegal slave-trade; I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of the Earl of Aberdeen, that their Lordships have given directions to Vice-Admiral Colpoys, to cause the said Robert King, and William Murray, who are stated to have been on board the "*Victor*," when she left the Havana, on the 29th of June, (Samuel Moore being dead), to be delivered up to the Civil Authorities, at the nearest British colony in possession of a Commission under the Act of the 46th Geo. III. c. 54, for the purpose of their being brought to trial.

I am, &c.

J. Backhouse, Esq.

&c. &c. &c.

(Signed)

J. BARROW.

Second Enclosure in No. 103.

G. Dawson, Esq. to J. Backhouse, Esq.

SIR,

Treasury Chambers, November 18, 1830.

THE Lords Commissioners of His Majesty's Treasury having had under their consideration your letter of the 28th September last, and its enclosures, on the subject of the capture, by the Officers and crew of His Majesty's corvette "*Victor*," of the Spanish galliot "*Emilio*," for illegal traffick in slaves; I am commanded to transmit to you, for the information of Secretary the Earl of Aberdeen, the enclosed copy of my Lord's minute of the 26th ultimo, in order that the intentions of my Lords, as regards the British subjects found on board the said slave-ship, may be communicated to His Majesty's Commissioners at the Havana.

I am, &c.

John Backhouse, Esq.

&c. &c. &c.

(Signed)

GEO. R. DAWSON.

Third Enclosure in No. 103.

Copy of Treasury Minute, dated 26th October, 1830.

(17621.)—READ report of Mr. Rothery, dated 19th instant, on a memorial from H. B. Barwis, on behalf of the Officers and Crew of His Majesty's corvette "*Victor*," seizors of the Spanish galliot "*Emilio*," otherwise "*Cesar*," together with a letter from Mr. Backhouse, dated 28th ultimo, with enclosures on this subject, in which Mr. Rothery submits, that the Captors are, by the Act 5 Geo. IV, c. 113, entitled to the sum of £1,920, being a bounty of £10. upon each of the slaves seized and found on board the said vessel at the time of capture, which sum is payable out of the Consolidated Fund of the United Kingdom. And with regard to the fact of British subjects having been found on board this vessel, a communication should be made to the Admiralty of the circumstances, in order that these men may be delivered up to the Civil Authorities, at the nearest British colony, which may be in possession of a Commission under the Act 46 Geo. III, cap. 54, for the purpose of their being brought to trial; and it will be advisable that the Secretary of State for Foreign Affairs should also be informed thereof, in order that the same may be communicated to His Majesty's Commissioners at the Havana.

Prepare warrant for issuing out of the Consolidated Fund, to the Commander, Officers, and Crew, of His Majesty's corvette "Victor," the sum of £1,920, being a bounty of £10. on each of the slaves seized, and found on board the said Spanish galliot "Emilio," otherwise "Cesar."

Acquaint Mr. Barwis with the above decision, for the information of the Captor, and state to him, that my Lords cannot at present give any directions regarding the proceeds of the vessel and cargo, as the account of sales has not yet been transmitted, nor the proceeds remitted to this country.

With regard to the fact of British subjects having been found on board the "Emilio," alias "Cesar," my Lords deeming it of importance that these men should be brought to trial, and it appearing that they were on board His Majesty's ship "Victor," when she left the Havana, on the 29th June, whose destination is unknown to their Lordships; desire that a letter be written to the Secretary of the Admiralty, requesting that he will move the Lords of the Admiralty to cause directions to be given for the delivery of these individuals to the Civil Authorities at the nearest British colony, which may be in possession of a Commission under the Act of the 46 Geo. III, cap. 54; and my Lords desire that a copy of Mr. Buckhouse's letter of 28th September, and of Macleay's despatch of 2d July last, together with an extract of so much of Mr. Rothery's report, as relates to these British subjects, may be transmitted to the Secretary of the Admiralty, for the information of that Board, as regards the circumstances of this case.

No. 104.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, November 30, 1830.

WITH reference to your despatch of the 13th of September, on the subject of the British subjects found on board the Spanish vessel "Afidas," I herewith transmit to you, for your information, the copy of a letter from the Admiralty, stating that the men in question were brought to trial at the last Admiralty Sessions, and adding, that Commissions under the 46 Geo. III, cap. 54, have been issued for the Islands of Jamaica and St. Christopher, under which offences against the slave laws may be tried in either of those islands.

I am, &c.

His Majesty's Commissioners.

(Signed)

PALMERSTON.

Enclosure in No. 104.

J. Barrow, Esq. to Lord Dundas.

MR. LORD,

Admiralty-Office, November 19, 1830.

HAVING laid before my Lords Commissioners of the Admiralty your Lordship's letter of the 15th instant, with its enclosure from His Majesty's Commissioners at the Havana, respecting 5 individuals, supposed to be British subjects, who were captured on board the "Midas," condemned for illegal slave-trade, by the Mixed British and Spanish Commission at the Havana; I have it in command to acquaint your Lordship, for the information of the Earl of Aberdeen, that the 5 men alluded to were brought to trial at the last Admiralty Session. 3 were convicted upon admissions made by themselves, that they were British subjects, and the 2 others, against whom no such admissions could be proved, were (in the absence of evidence that they were British subjects) acquitted.

With reference to the latter part of Mr. Macleay's letter of the 13th of September last, addressed to the Earl of Aberdeen, it is observed, that Commissions under the 46th Geo. III. cap. 54, have been issued for the Islands of Jamaica and St. Christophers, under which, by virtue of the Act 5th Geo. IV. cap. 113, sec. 48, offences against the slave-trade laws may be tried in either of those islands.

I am, &c.

Lord Dundas,
&c. &c. &c.

(Signed) JNO. BARROW.

No. 105.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received December, 16.)

MY LORD,

Havana, October 13, 1830.

TWO Spanish brigs sailed on the 1st instant from this port, for the Coast of Africa, viz.: the "Negrito," D. José Azpeitia, Master, and the "Coruñes" D. José Maria Pequeño, Master.

I have also the honour to inform your Lordship, that on the same day, the Spanish brig "*Vengador*," D. Agustin Capera, arrived in the harbour, after having landed on the coast about 600 slaves. The answer I have just received from the Captain-General on the subject of this brig, is exactly similar to that which his Excellency made me last year, when I denounced the same vessel for having then landed 586 slaves, as mentioned in my despatch of 3d September 1829.

I am sorry to have likewise to state, that the Spanish ship "*Montezuma*" sailed to-day for the Coast of Africa. She was formerly the notorious "*Nueva Diana*," alias "*Fama de Cadix*," to which your Lordship's attention has been so often drawn, as well by His Majesty's Chargé d'Affaires at Madrid, as by His Majesty's Commissioners at the Havana. She mounts 24 guns, and is commanded by D. José Villanova.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 106.

W. S. Macleay, Esq. to the Earl of Aberdeen.—(Received December 16.)

MY LORD,

Havana, November 2, 1830.

I HAVE the honour to acquaint your Lordship, that 2 Spanish schooners have lately arrived in this port from the Coast of Africa, having, previously to their coming into harbour, landed their slaves on the coast. The "*Mariñero*," Don Ramon Aquilleiro, Master, entered on the 19th ultimo, and the "*Segunda Gallega*," Don Santiago Manzana, Master, on the 22d ultimo. The answers I have received from the Captain-General, on the subject of these slave-schooners, are of the usual form.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 107.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, December 23, 1830.

WITH reference to the letter, which was addressed on the 10th of May, 1830, by Mr. Macleay to Mr. Backhouse, I herewith transmit to you 3 copies of an extract from the Instructions,* which have been framed for the guidance of the Slave-trade Restriction Commissions, and of which copies are about to be distributed, under the directions of the Lords Commissioners of the Admiralty, to the Commanders of His Majesty's ships and vessels employed on the several naval stations, for the suppression of illegal slave-trade.

I am, &c.

(Signed)

PALMERSTON.

His Majesty's Commissioners.

* For Enclosure, see No. 15.

No. 108.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, December 24, 1830.

I HAVE received your despatches up to that of the 2d of November last.

I herewith enclose to you, for your information, the copy of a despatch * which I have this day addressed to His Majesty's Minister at Madrid, instructing him to urge the Government of His Catholick Majesty to agree to the conclusion of an Article, similar to that which is annexed to the Treaty between Great Britain and the Netherlands, whereby vessels, which appear to be evidently fitted up for the slave-trade, are, on that account, when found in prohibited latitudes, liable to be detained and condemned under the Mixed Commissions for the restriction of illegal slave-trade.

I am, &c.

His Majesty's Commissioners.

(Signed)

PALMERSTON.

* See Class B.

No. 109.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, December 28, 1830.

WITH reference to my despatch of the 29th of November, and to prior despatches, on the subject of British subjects found on board of the "*Emilio*" slave-vessel, condemned at the Havana, I herewith send to you, for your information, the copy of a letter received at this Office from the Admiralty, reporting the disposal of William Murray and Robert Key, the 2 British subjects in question.

I am, &c.

His Majesty's Commissioners.

(Signed)

PALMERSTON.

Enclosure in No. 109.

J. Barrow, Esq. to J. Backhouse, Esq.

SIR,

Admiralty Office, December 20, 1830.

IN reference to my letter of the 5th of last month, respecting the 2 British subjects, William Murray, and Robert King, found serving on board the Spanish vessel "*Emilio*," alias "*Cesar*," captured by His Majesty's sloop "*Victor*," and condemned at the Havana for illegal slave-trade; I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of Viscount Palmerston, that it appears by a letter from Vice-Admiral E. G. Colpoys, dated at Halifax, the 12th October last, that the former, who is a black man, and a native of Bermuda, he had ordered to be released, as it appeared he had deserted from the vessel, when he discovered she was to be engaged in illicit traffick, although he was subsequently forced on board again, but did not receive any wages, neither did his name appear in the muster-roll; and that with regard to the other man, Robert King, the Vice-Admiral had directed, that he should remain on board the "*Victor*," until her return to England.

I am, &c.

J. Backhouse, Esq.

(Signed)

JNO. BARROW.

&c. &c. &c.

RIO DE JANEIRO.

No. 110.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received March 23.)

MY LORD,

Rio de Janeiro, January 2, 1830.

WE have the honour to inform your Lordship, that no slave-vessel has been brought into this port, by any of His Majesty's ships, for adjudication, since our last half-yearly report.

We have, &c.

(Signed)

WM. PENNELL.

ALEX. CUNNINGHAM,

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 111.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received April 22.)

MY LORD,

Rio de Janeiro, February 12, 1830.

WE have the honour to acknowledge the receipt of your Lordship's despatches of the 30th of November, and 7th of December last, the former with 5 enclosures, respecting the extension of time to the 13th of March, 1830, for the sailing of Brazilian slave-ships from the Coast of Africa; and the latter, respecting the importation of negroes, under the plea of their being colonists, or servants.

We shall not fail to consider the instructions contained in these despatches, as the rule of our conduct in the cases, to which they may apply.

We have, &c.

(Signed)

WM. PENNELL.

ALEX. CUNNINGHAM.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 112.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, August 31, 1830.

I HAVE caused communication to be made to the Admiralty, from time to time, of the several despatches which I have received from you, respecting the movements of vessels suspected to be intended for illegal slave-trade.

The Lords of the Admiralty have stated to me, that it is hardly possible, that information of this nature can be sent from hence to the African squadron, in time to be of any use; and their Lordships have suggested, that the Commissioners should be directed to endeavour to convey, whenever any direct opportunity may offer, such intelligence, addressed to any of His Majesty's Officers on the other side of the Atlantic.

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It appears to me to be probable, that such a course would be attended with benefit to the service on which you are engaged; and I have, therefore, to direct, that you will comply with the suggestion, which has been thrown out by the Admiralty.

I am, &c.

His Majesty's Commissioners,

(Signed)

ABERDEEN.

No. 113.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Sept. 15.)

MY LORD,

Rio de Janeiro, July 7, 1830.

WE have the honour to inform your Lordship, that no slave-vessel has been brought into this port, by any of His Majesty's ships, for adjudication, since our last half yearly report.

We have, &c.

(Signed)

WM. PENNELL.

ALEX. CUNNINGHAM.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 114.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Dec. 5.)

MY LORD,

Rio de Janeiro, September 25, 1830.

WE have the honour to inform your Lordship, that the barque "*Eliza*," under Brazilian colours, with 519 slaves, and the brig "*Africano Oriental*," alias "*Felix Marianna*," under Portuguese colours, with 376 slaves, embarked in the Ports of Mosambique, arrived here on the 6th instant.

The Brazilian Government ordered the Judge of Contraband to proceed against these vessels; but the Owner of the "*Eliza*," who is also the Consignee of the "*Africano Oriental*," availed himself of the 4th Article of the Alvará of 1818, to bring both cases before the Mixed Commission for adjudication; his petition to this purport is dated the 14th instant.

These cases do not come within the purview of the printed regulations for the guidance of the Mixed Commission, which contemplate a captor, or a prosecutor, whose duty it would be diligently to adduce evidence of illegal traffick; we are, therefore, obliged to act under circumstances requiring more than ordinary circumspection.

We enclose copy of a letter, which Mr. Acting Commissary Pennell deemed it expedient to address to His Majesty's Chargé d'Affaires, with regard to the preliminary steps taken in this business, and the progress of which will command our anxious attention, with a view to the just discharge of our official functions. We regard the conduct of this Government touching these vessels, as affording evidence of its *bond fide* intention to respect the Stipulations of the Abolition Treaty.

We have, &c.

(Signed)

WM. PENNELL.

ALEX. CUNNINGHAM.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 114.

W. Pennell, Esq. to A. Aston, Esq.

SIR,

Rio de Janeiro, September 17, 1830.

WITH reference to our conversation, respecting the cases of the 2 vessels, the "*Eliza*" and "*Felix Marianna*," seized in this harbour with slaves on board, and referred, by order of the Brazilian Government, to the Judge of Contrabands, I have the honour to inform you, that, on the 14th instant, when I attended at the Mixed Commission, I found a petition from the Owner and Consignee of the above-named vessels, addressed to the Judges thereof, praying that the cause might be tried by that tribunal, in place of its being tried by the Judge of Contraband. My Brazilian Colleague recommended, that we should address ourselves to the Government, in the first instance, with a view to its sanction and support. My opinion was, that we should accede to the petition in the usual form, grounding it on the 4th Article of the Alvarà of January 1818. My Colleague acquiesced in this opinion, and the prayer of the petition was immediately granted in the usual Brazilian form.

I shall be very desirous, before the merits of the case comes before me as Judge, to receive your opinion touching any anterior proceedings, that my position may require, with a view to their propriety and legality—an opinion which I shall always receive with the highest deference.

I have, &c.

Arthur Aston, Esq.
&c. &c. &c.

(Signed) WM. PENNELL,
Consul-General and Acting Commissary-Judge:

No 115.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, December 23, 1830.

I HEREWITH transmit to you, for your information, 3 copies of an extract from Instructions* prepared for the guidance of the Slave-trade Restriction Commissions, and of which Instructions copies will be distributed, under the directions of the Lords Commissioners of the Admiralty, to the Commanders of His Majesty's ships and vessels, employed on the several naval stations for the suppression of illegal slave-trade.

I am, &c.

His Majesty's Commissioners.

(Signed)

PALMERSTON.

* See Enclosure in No. 15.

SURINAM.

No. 116.

The Earl of Aberdeen to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, June 28, 1830.

I SUBMITTED, for the opinion of His Majesty's Advocate-General, your despatch of the 20th July, 1829, relating to the refusal, which has been returned to an application, which you had made to the Local Authorities at Surinam, for information touching the state of the negroes, in respect to whom sentence of emancipation has been decreed by the Court of Mixed Commission, of which you were members; and I have to acquaint you, that the King's Advocate has given it as his opinion, that the Judges of the Mixed Commission Courts, established under the provisions of the Treaty with the Netherlands, for the abolition of the slave-trade, have not authority, as such, officially to interfere with respect to the treatment of the negroes, who, in conformity with the 6th Article of the Regulations for the establishment of those Courts, shall have been delivered over to the Government, for the purpose of being employed as free labourers.

The functions of the Commissioners are merely of a judicial nature, and naturally cease, when the sentence, decreeing the emancipation of the negroes, has been carried into effect by the delivery of them to the Government.

The question, how far the stipulations of the Treaty, by which each Government binds itself to guarantee the liberty of such portions of the individuals, as shall be respectively consigned to it are fulfilled, is, in the opinion of the King's Advocate, matter for communication and explanation between two Governments.

The King's Advocate is, therefore, of opinion, that if His Majesty's Commissioners at Surinam shall have received any information, upon which they think they can rely, that the provisions of the Treaty have not been observed, with respect to the emancipated negroes in that colony, it will be their duty to communicate it to His Majesty's Government, for the purpose of enabling them to demand the necessary explanations from the Government of the Netherlands; but that the Commissioners are not entitled to require "that the Governor-General should communicate to *them* the present numbers and conditions, and the mode of treatment adopted towards the negroes by those persons, under whose charge they are, in order that they may the transmit the same to their Government."

I have instructed His Majesty's Ambassador at the Court of the King of the Netherlands to request, from the Government of the Netherlands, the required information, and I will communicate to you the result of the enquiry.

I am, &c.

(Signed)

ABERDEEN.

His Majesty's Commissioners.

No. 117.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Sept. 13.)

MY LORD,

Surinam, July 7, 1830.

WE are happy to inform your Lordship, that the former complaints of the Commission, in regard to the absence of ships-of-war from this station, have

been attended to by the Netherlands Government at home, and that we are now never without one, and frequently with 3 men-of-war in the harbour.

We enclose, for your Lordship's perusal, a list of the ships-of-war which have arrived here, or departed hence, from the 1st of May, 1829, to the last of June of the present year, with the times of their arrival and sailing, and the period they have remained at this port.

With respect to the last point, we beg to call your Lordship's attention to a circumstance, of which we feel doubtful of our competence to take notice to the Colonial Government here. From the time of the arrival to the time of the departure of any ship-of-war, it appears a settled rule for her never to take a cruize, and there is only one instance to the contrary, since we have been in the colony, (the "Panther," Captain Buys), which took a cruize of 16 days to Cayenne last year.

This inactivity, on the part of the naval force, must give ample opportunities to the introduction of African slaves, and the escape of the vessel afterwards; and we are induced to make the above circumstances known to your Lordship, from a report that was in circulation, a short time ago, of a slave-trader being off this coast. We had not sufficient evidence of the fact, nor had we the means of procuring it, or of ascertaining if a landing actually took place, so as to enable us to make an application to the Governor; but if one of the men-of-war, then lying in the river, had been cruising off the coast, there would then have been no difficulty in arriving at the truth or falsehood of such a report.

With the exception of the above report, we feel great satisfaction in having it in our power to inform your Lordship, that it is our firm belief, that not a single instance of illicit importation of negroes has taken place, since we have been in the colony.

We have, &c.

(Signed)

J. H. LANCE.

CAMPBELL J. DALRYMPLE.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 117.

List of Dutch Ships of War which have arrived at Surinam, or departed thence, from the 1st May 1829 to the 30th June 1830.

Date.	Name of Vessel.	Name of Captain.	Time of remaining in Port.
May 2, 1829	Arrived De Valch	Capt. Van Ess	
— 14, —	Sailed De Panther	— Buys, for St. Eustatius	
June 13, —	Arrived De Panther	— Buys	
Aug. 23, —	Sailed De Valch	— Van Ess, for the Islands	16 Weeks
Sept. 29, —	Arrived De Proserpine	— Van Den Bosch	
— 27, —	Sailed De Panther	— Buys, for Cayenne	15 Weeks
Oct. 13, —	Arrived De Panther	— Buys	
— 19, —	Sailed De Proserpine	— Van Den Bosch, for St. Eustatius	5 Weeks 6 days
— 24, —	Arrived De Pallas	— Van Der Velde	
Nov. 28, —	Sailed De Pallas	— Van Der Velde, for the Islands	5 Weeks
Dec. 27, —	Arrived De Valch	— Van Ess, now in port	6 Months, 3 days
Jan. 24, 1830	Sailed De Panther	— Buys, for the Islands	13 Weeks, 2 days
— 28, —	Arrived De Courier	— Van Straten	
Feb. 13, —	Arrived De Proserpine	— Van Den Bosch	
April 12, —	Sailed De Proserpine	— Van Den Bosch, for Europe	8 Weeks, 2 days
— 13, —	Sailed De Courier	— Van Straten, for the Islands	10 Weeks, 5 days
May 22, —	Arrived De Sireine	— De Graaf, now in port	5 Weeks, 4 days
June 13, —	Arrived De Zecmeco	— Moolenaar, now in port	2 Weeks, 3 days
— 30, —	Arrived De Panther	— Buys, now in port	

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No. 118.

His Majesty's Commissioners to the Earl of Aberdeen.—(Received Nov. 26.)

MY LORD,

Surinam, Sept 14, 1830.

WE have the honour to acknowledge the receipt of your Lordship's despatch of the 28th of June, 1830, informing us of the opinion of His Majesty's Advocate-General on the subject of our despatch of last year, relating to the refusal which had been returned to an application, which we had made to the Local Authorities, for information touching the state of the negroes, on whom sentence of emancipation had been decreed by the Court of Mixed Commission in this colony.

We beg to lay before your Lordship the cause of our application to the Governor for that information.

For the last 5 or 6 years the Colonial Government has had under its charge from 800 to 1,000 negroes, part of them emancipated by a decree of the Mixed Court, and most of the remainder the result of different seizures made by the Authorities here, since the abolition of the slave-trade, which last appeared to possess an ill-defined species of freedom, and the Government itself seemed to doubt whether they were free or slaves. About 3 years ago, at the suggestion, and by the advice, we believe, of General Van den Bosch, the Commissary-General of His Majesty the King of the Netherlands, it was thought proper to take a good number of these negroes, who were then dispersed about the colony at the different military posts, performing the duties of Officers' servants, or other light work, and to transport them to a river called the Sarramacca, about 8 hours distant from the town, and there to begin and establish a large sugar plantation on the account of the Government. As the work on sugar estates is more severe than any other labour in the colony, discontent soon arose among the negroes, and, from time to time, it has been found necessary to have recourse to just the same punishments as are inflicted on slaves, to keep them in a proper state of subordination. Conceiving that the negroes, who had been emancipated by sentence of the Mixed Court, had a right to some different and better treatment than the above, we endeavoured all in our power to ascertain, if they formed part of the gang on the new sugar plantation; but, failing altogether to get any information we could rely on, we thought our best course was to address his Excellency the Governor, whose answer we transmitted to your Lordship; and it is so difficult to discover the truth of any thing here but what passes before our own eyes, that we are still unable to furnish your Lordship with any further information on the subject.

We, therefore, shall anxiously await the result of the enquiry, which, your Lordship informs us, you have instructed our Ambassador at the Court of the King of the Netherlands to make, and which your Lordship has kindly undertaken to transmit to us.

We have, &c.

(Signed) J. H. LANCE.
CAMPBELL J. DALRYMPLE.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Class B.

CORRESPONDENCE

WITH

FOREIGN POWERS,

RELATING TO

THE SLAVE TRADE.

1830.

*Presented to both Houses of Parliament, by Command of His Majesty,
1831.*

LONDON :

PRINTED BY R. G. CLARKE,

AT THE LONDON GAZETTE OFFICE, CANNON-ROW, WESTMINSTER.

Class B.

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WITH

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SPAIN.

No. 1.

G. Bosanquet, Esq. to the Earl of Aberdeen — (Received Jan. 13, 1830.)

MY LORD,

Madrid, December 28, 1829.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch, marked slave-trade, of the 5th instant, communicating to me the information received from the Havana, respecting a Spanish vessel, named the "*Elena*," or "*La Paz*," lately fitted out at Cadiz, and suspected of being engaged in the slave-trade.

I have in consequence addressed to the Spanish Minister the note, of which a copy is enclosed.

I have, &c.

(Signed)

GEORGE BOSANQUET.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 1.

George Bosanquet, Esq. to the Chevalier de Salmon.

Madrid, December 27, 1829.

THE Undersigned has the honour to communicate to his Excellency the Chevalier de Salmon, by order of his Government, an extract of a despatch from the British Commissioners at the Havana, respecting a vessel, named the "*Elena*," or "*La Paz*," lately fitted out at Cadiz, and about which a correspondence took place between Mr. Salmon and the Undersigned, nearly a year ago.

It will be seen by this communication, that the suspicions entertained at the time, that this vessel was destined to be employed in the African slave-trade, have been fully and painfully confirmed, by her arrival at the Havana in ballast, after having landed a cargo of slaves on the coast; and the Undersigned is, therefore, directed to express the hope of his Government, that due care will be taken in future, that vessels shall not be fitted out in the ports of the mother country for undertakings in a traffick, solemnly prohibited by the Treaties between His Majesty and the King of Spain.

The Undersigned, &c.

(Signed)

G. BOSANQUET.

His Excellency the Chevalier de Salmon,

&c.

&c.

&c.

No. 2.

The Earl of Aberdeen to H. U. Addington, Esq.

SIR,

Foreign Office, April 6, 1830.

WITH reference to Mr. Bosanquet's despatch to me, marked slave-trade, of the 30th of July 1829, on the subject of the schooner "*Maria*," which was fitting out at Cadiz, suspected to be intended for the illicit traffick in slaves, I now enclose to you, for your information, a copy of a despatch,* and of its enclosures, from His Majesty's Commissioner at the Havana, relating to the arrival, from the Coast of Africa, of a vessel named "*Maria*," which he supposes to be the same as that referred to in the above despatch from Mr. Bosanquet.

I am, &c.

H. U. Addington, Esq.

(Signed) ABERDEEN.

&c. &c. &c.

* December 30, 1829.—See Class A.—No. 65.

No. 3.

H. U. Addington, Esq. to the Earl of Aberdeen.—(Received April 8.)

MY LORD,

Madrid, March 8, 1830.

I HAVE the honour to enclose, herewith, a letter which I have recently received from M. de Salmon, accompanying an Ordinance of His Catholick Majesty, dated the 4th instant, and addressed to the Captains-General of Cuba and Porto Rico, which has for its object the more rigorous application and enforcement of preceding Royal Decrees for the suppression of slave-trade in those colonies.

M. de Salmon informs me, in his letter, that His Catholick Majesty having submitted the question to the Supreme Council of the Indies, and having also taken the advice of His Ministers of State thereupon, has not seen proper to accede to the proposition submitted to this Government, on the 9th February 1820, by Sir Frederick Lamb, for framing an Additional Article to the Slave-trade Abolition Treaty of 1817, nor to other suggestions, put forward at various times by the British Government, such, for instance, as that for treating as pirates persons engaged in that odious traffick; but that His Majesty has, in their place, issued the "new and energetic orders" contained in the Ordinance above alluded to.

Of the efficacy of such an order it may be permitted, without calling in question the sincerity of the Spanish Government, to entertain some doubts, after what has notoriously taken place under preceding decrees of nearly the same tenour.

I have, &c.

(Signed) H. U. ADDINGTON.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

First Enclosure in No. 3.

(Translation.)

The Chevalier de Salmon to H. U. Addington, Esq.

SIR,

Palace, March 4, 1830.

YOUR predecessor, Mr. Lamb, addressed a note to this Department, dated February 9, 1826, proposing an Additional Article to the Treaty for the abolition of the slave-trade, concluded between our august Sovereigns in 1817. The Chargé d'Affaires, Mr. Bosanquet, wrote another note on the 3d of April,

1828, expressing the wish of his Government, that some Articles, similar to those agreed on between Great Britain and the Pays Bas, might be added to the above-mentioned Treaty; and the Chargé d'Affaires wrote to me on the 9th of January and 7th of April, 1829, complaining of the insufficiency of the Royal Decree to suppress the said traffick, and of the freedom from punishment of the sailors, who are taken on board vessels engaged in that traffick,

All those notes, and others upon the same subject, affording fresh matter, or bringing forward fresh reclamations, or proposing new measures; as, for example, that slave-vessels should be treated as pirates, that an extensive and discretionary power should be given to the Captain-General of the Havana; have been successively laid before the King.

Before coming to any determination, the King required to hear the decision of the Supreme Council of the Indies on some points, on others that of His Council of State, and on all that of persons in whose experience His Majesty has confidence, which circumstance has unavoidably delayed the answer which was due to the British Legation, and hindered its being carried into effect.

This having been rendered consequently embarrassing and voluminous, His Majesty ordered that the Council of His Ministers should consider it attentively and conscientiously; who, in the presence of the persons to whom I have drawn your attention, and of their predecessors, proposed to His Majesty what seemed to them most suitable and just.

His Majesty, having again considered the business, has resolved, announcing the same to you, that it is not necessary to add the proposed Articles to the Treaty of 1817, nor is there any necessity for altering the law which proceeds from it; but being at the same time prompted by his humane heart, to show his determination to observe faithfully the agreements entered into with His Allies, and most particularly with His Britannick Majesty, whose friendship and good opinion he holds in great esteem, His Majesty commanded me to issue fresh and energetic orders (you may see the order has been issued by the enclosed copy of it) for the abolition of a traffick, which, from its description, is no less repugnant to the feelings of His Majesty, than to the wishes of His Ministers.

I have, &c.

(Signed)

MANOEL GONZALEZ SALMON.

H. U. Addington, Esq.

&c. &c. &c.

Second Enclosure in No. 3.

(Translation.)

Copy of a Royal Order, March 4, 1830, sent in Duplicate to the Captains-General of Cuba and Puerto Rico.

THE repeated remonstrances of the British Legation at this Court, respecting the impunity with which the slave-trade is carried on, and of the inefficiency of the Royal Order of January 2, 1826, have rendered it necessary to provide a preventive to this practice, which has been examined by the Council of State, by that of the Indies, by His Majesty's Ministers, and by persons whom the King honours with his confidence.

His Majesty having taken all the opinions of the above-mentioned persons, and having fully examined the business, has commanded, that the Articles of the Treaty of 1817 shall be rigorously observed; for it is His Sovereign Will, that all agreements entered into with Foreign Sovereigns shall be fulfilled, and most especially those with the King of Great Britain; at the same time I charge your Excellency with the Royal Order, and finally to observe and fulfil, with the greatest accuracy, the orders therein contained.

His Majesty is desirous, that so severe a fine should be imposed, by these means, upon so inhuman a traffick, which is so repugnant to the generous feelings of his benignant heart, that it may put an end to the impunity, with which it is carried on, in despite of the laws and penalties imposed upon the offenders.

The Earl of Aberdeen to H. U. Addington, Esq.

SIR,

Foreign Office, April 23, 1830.

I HEREWITH transmit to you the copy of a communication, which has been received at this Office from the Admiralty, upon the subject of a practice, said to exist in the foreign West India Islands, of giving with too much facility the national character to vessels, which are subsequently employed in illegal slave-trade, the penalties of which they escape, through the facilities thus afforded.

The proceedings of the Mixed Commission Court at Sierra Leone furnish numerous instances, in corroboration of the statement, made by Vice-Admiral Fleeming, as to the prevalence, in many of the foreign West India Islands, of the practice which forms the subject of his report to the Admiralty, and as to the undue facilities which are thereby afforded to the carrying on of an illicit traffick in slaves.

You will represent these circumstances to the Government of His Most Catholick Majesty, by whom, His Majesty's Government feel confident, such measures will hereupon be adopted, as may be necessary effectually to prevent a system of abuse, which throws the greatest difficulties in the way of His Majesty's efforts, for the suppression of illicit slave-trade, and tends to frustrate the humane objects of the Convention of the 23d of September, 1817, between His Majesty and the King of Spain.

I am, &c.

H. U. Addington, Esq.
&c. &c. &c.

(Signed)

ABERDEEN.

Enclosure in No. 4.

J. Barrow, Esq. to J. Backhouse, Esq.

SIR,

Admiralty Office, December 8, 1829.

I AM commanded by my Lords Commissioners of the Admiralty to transmit to you, for the information of the Earl of Aberdeen, copies of a letter, and its enclosure, from the Vice-Admiral Fleeming, relative to the irregular practices which prevail in the foreign West India Islands, in regard to vessels employed in the slave-trade, and by which piratical outrages are committed.

I am, &c.

(Signed)

JOHN BARROW.

J. Backhouse, Esq.
&c. &c. &c.

Sub-Enclosure (A.) in No. 4.

Vice-Admiral C. E. Fleeming to J. Barrow, Esq.

SIR,

Barham, Curaçoa, September 7, 1829.

IN obedience to the commands of my Lords Commissioners of the Admiralty, signified to me by your letter of the 9th of June last, I directed Acting Commander Mayne, of His Majesty's sloop "Icarus," to proceed to St. Thomas's, and make the enquiry therein directed; and I have the honour to enclose his report, by which it appears, that Mr. Ranken is mistaken in the name of the Vessel and Commander, which he describes in his letter of June 8; a circumstance by no means extraordinary, as from the frequent change of colours, names, and masters, it becomes extremely difficult to identify individuals and vessels of this description.

The case of the "*Niersée*," alias "*Estufette*," is already before their Lordships, and affords a very striking illustration of this remark. She fitted out at Martinique under French colours, procured Dutch at St. Eustatius;

on her return, she proceeded to St. Bartholomew's, where she procured Swedish; from that she went to Havana, where she obtained Spanish; and now, under all these colours, is probably on her way, on another voyage, to the Coast of Africa.

So long as such facility for changing colours is given, in the foreign islands, the seas can never be safe for defenceless merchant ships. But the chief evil under which all the pirates now cloke themselves, is the open manner in which the slave-trade is carried on between the French possessions in the West Indies and the Coast of Africa, under their flag; and it is undeniable that the outrage committed on the "*Benbow*," was perpetrated by one of these vessels; and I have reason to believe that the guilty vessel has returned to Guadaloupe, with a cargo of slaves, and has since proceeded to Puerto Rico. The usual course of those vessels is to fit out at Martinique, or Guadaloupe; they are principally American built, having been privateers under various flags. From one of these islands they proceed to St. Thomas's, and purchase the requisite goods for the coast, clear out for Cuba, and, under pretence of protection from pirates, get permission to arm; but lately the Danish Authorities have been more circumspect, and this part of their equipment has generally been done at St. Bartholomew's, where a depôt of seamen of all nations has hitherto been kept, on pretence of their being in debt, as already stated in my letter of 25th March last, and having Danish, Dutch, or Swedish subjects on board, as Supercargoes, Surgeons, or Stewards; these act, occasionally, as the Masters of the colours they think proper to display.

The remedy for these evils can only come from Europe. The Dutch, Danish, and Swedish Governments have instructed their Authorities in the West Indies not to be *too* strict, under a false notion of encouraging trade, and getting back to the islands that which is irrecoverably lost, since the revolution which has taken place in Spanish America, and in which the Islands of Jamaica and Trinidad have borne their full share. The establishment of free ports here, at St. Bartholomew's, and at St. Thomas's, all originate from the same desire; but, instead of being beneficial to their own Governments, with the exception of St. Thomas's, they are only useful to individuals of all nations, of the worst possible description, ready to enter into any desperate undertakings; and thus may be found, in this island, Corsicans, Genoese, Sardinians, French, English, Americans, Brabanters, &c. &c. outlaws of their own country, and of many others; but here, from the false grounds above stated, they find protection.

Since I have been in this port, vessels have arrived under the Columbian flag, sailed again under Dutch colours, and returned under Spanish. Americans likewise have become Dances, and Columbians Spaniards. A privateer, which appears here with a prize, has only to complain that she requires some repair, when she is immediately permitted to sell her, without condemnation, to pay the expenses; the remainder is deposited for 6, sometimes for 12, months, for claims; and none being lodged, (the Owners being ignorant of the fate of their vessels), the balance is paid over to the Captain of the Privateer, and thus he is enabled to cheat the crew, and appropriate to himself property, which never would have been condemned to him in a regular court.

Soon after my arrival at Curaçoa, I found a vessel, called the "*Cubana*," from Cuba and Jamaica, under Spanish colours, had been taken by the noted Bernard Ferrero, who, instead of sending her over to Columbia, sent her to Amba, where she was permitted to change her colours to Dutch, and under which she arrived here with the Columbian crew still in possession. Under a supposition that there might be British property on board, I applied to the Government to have his vessel detained, and wrote to Jamaica for information, but none having been obtained, after a delay of 6 weeks, the Governor sent the crew over in a Dutch man-of-war to Puerto Caballo. Soon afterwards Bernard arrived, claimed the vessel, and she sailed from this under Columbian colours. But I have strong reason to believe, that the Dutch would be used as a protection to some other port, and thus a vessel, without any legal condemnation, falls a sacrifice to persons who are literally pirates.

During the last year, a person, calling himself Fournier, arrived at St. Eustatius from Boston, in a vessel called "*The Twenty-fifth of May*," said to be a Buenos Ayrean man-of-war, having on board a quantity of blank commissions from that Government, dated January 1st, 1828, to be in force for one year, which were disposed of to all persons who chose to become purchasers, the Colonel, by authority which he pretended to have, extended the time from the day on which they were bought. This person got possession of a vessel which had been under the Buenos Ayrean flag, and had been seized at St. Thomas's for some irregularity: he brought her over to St. Eustatius, and there fitted her out as a privateer, putting on board a person in possession of a very old Buenos Ayrean Commission, with a crew of all nations. She proceeded to the Coast of Africa, and on the 5th of February last, captured a large Portuguese ship, which had sailed from Rio de Janeiro in the month of December: after the time allowed by the Treaty between Brazil and Buenos Ayres had elapsed, she returned to St. Eustatius with this vessel, and off the little Island of Saba disposed of all the cargo. Soon after this, His Netherland Majesty's ship "*Falcon*," Captain Van Ness, arrived, and detained both vessels; they have been carried up to Surinam, where they are still under litigation, and I understand very likely to be liberated.

In consequence of the failure of many of the foreign speculators in Cuba, the price of slaves has fallen very considerably in that island; and as that race do not decrease in the Spanish Islands, as is the case of those of France, there appears no doubt, that if the French Government would honestly and seriously put down the slave-trade, it would fall altogether in a few years.

I have, &c.

(Signed)

C. E. FLEEMING, Vice-Admiral.

J. Barrow, Esq.
&c. &c. &c.

Sub-Enclosure B. in No. 4.

Mr. Mayne to Vice-Admiral C. E. Fleeming.

SIR,

H. M. Sloop "Icarus," Curaçoa, August 25, 1829.

IN pursuance of your order to me of the 14th instant, I proceeded in His Majesty's sloop under my command to St. Thomas's, where I arrived on the 21st; the result of my enquiries, respecting the vessels mentioned in the said order, I beg to communicate to you.

On a minute observation of all the vessels in the harbour, I could see no schooner answering the description of that which boarded the "*Benbow*," nor could I, after the strictest enquiries, both at the Custom-house (where I had the register of vessels that had cleared out in July, August, and September, 1828, examined), and from private information, ascertain, that any vessel named "*Revenge*" had sailed from St. Thomas's at the time stated in Mr. Ranken's letter to the Right Hon. J. W. Croker. I could obtain no information of Baker, he not being known to any one there, or ever heard of. The house of Sanbot and Co. is known to fit out vessels for the slave-trade; but it appears, from what I could learn, that they would not sanction any act of piracy on the high seas.

It is acknowledged, that vessels frequently arrive at St. Thomas's from Guadaloupe, and take in all sorts of goods, sending a list to the Custom-house, but which list, as the Captain of the port told me, might or might not be correct; as, from its being a free port, the vessels were never examined, to see if they had on board what they professed to have.

I could not ascertain any thing relative to any particular vessels, that had fitted out in December and January last, nor was there any certain information of slaves having been lately landed at Guadaloupe; I was told that it frequently happens, that vessels full of slaves, on their return from the coast, heave to off St. Thomas's, until they receive orders from their owners, how the cargo is to be disposed of.

I heard from very good authority, that there was not a single vessel in the harbour fitting for the slave-trade, and from the description of those I saw there, I am inclined to believe it to be a fact; but a fine French brig had sailed, destined for that trade, a few days before the arrival of the "Icarus."

I have, &c.

(Signed)

D. MAYNE, Commander.

Vice-Admiral the Hon. Charles Fleeming.

No. 5.

H. U. Addington, Esq. to the Earl of Aberdeen.—(Received May 20.)

MY LORD,

Aranjuez, May 10, 1830.

I HAVE the honour to transmit, herewith, copies of a communication, with enclosures, which I have this day made to M. de Salmon, conformably to the tenour of your Lordship's despatch, marked slave-trade, of the 6th April, respecting the abuses either permitted, or winked at, at the Havana, in regard to that traffick.

Those abuses are so glaring, that I have thought it a fit occasion for addressing myself to the Spanish Government on that subject, in a tone of more than usual earnestness.

A letter which I had recently received from His Majesty's Consul at Cadiz, and which is hereto annexed, came very opportunely to my aid, in corroborating some parts of the report made to your Lordship by His Majesty's Commissioner of Arbitration at the Havana, and I have accordingly turned it to account by transmitting an extract from it to M. de Salmon.

I have, &c.

(Signed)

H. U. ADDINGTON.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

First Enclosure in No. 5.

H. U. Addington Esq. to the Chevalier de Salmon.

SIR,

Aranjuez, May 10, 1830.

I HAVE lately received, from His Majesty's Secretary of State, directions to call your Excellency's serious attention once more to the subject of the African slave-trade, as carried on at the Havana in defiance of the Treaties existing between Great Britain and Spain, for the final abolition of that odious traffick.

I have the honour herewith to lay before your Excellency some extracts of a despatch,* addressed by the British Commissioner of Arbitration at the Havana to His Majesty's Secretary of State, by which you will perceive, that vessels are perpetually arriving in the Island of Cuba with cargoes of slaves, and clearing out again for the Coast of Africa, without the smallest restraint or concealment.

To a representation made by His Majesty's Commissioner to the Captain-General on this subject, in the case of a schooner called the "*Maria*," notoriously employed in slave-trade, he received for answer, that no proof existed of that vessel having been so engaged.

I enclose herewith copies† of the letter and of the reply.

I have the honour to enclose also a copy of a letter, which I have recently received from His Majesty's Consul at Cadiz, in which he states, that that very vessel "*Maria*," which he had already denounced last year, as fitting out at Cadiz for a slave voyage, has again returned to that port, and is again fitting out for the same object. He also mentions another vessel, called the

* See Class A.—No. 65.

† See Class A.—Second and Fourth Enclosures in No. 65.

"*William Gardner*," (also adverted to in the despatch of His Majesty's Commissioner above cited) as having returned from the Havana to Cadiz, and being once more destined for the same purpose.

I make no comment on these proceedings, but appeal to the honour and good faith of the Spanish Government to take such measures, as shall compel those persons, however high their station, who now wilfully shut their eyes to these disgraceful abuses, to do at length their duty towards their Government, and rescue it from the reproach of laxity and indifference, which must necessarily attach to it, if such abuses are longer suffered to exist.

I have, &c.

(Signed)

H. U. ADDINGTON.

His Excellency the Chevalier de Salmon.

&c.

&c.

&c.

Sub-Enclosure in No. 5.

J. Brackenbury, Esq. to H. U. Addington, Esq.

SIR,

British Consulate, Cadiz, April 29, 1830.

I APPRIZED Mr. Bosanquet, on the 9th of June, and 18th July 1829, of the sailing of 2 vessels from hence, which I had every reason to believe were destined to the Coast of Africa, for a cargo of slaves for the Havana, named the "*Maria*," and "*El Marinero*;" they have returned hither to be employed again in the same service, having safely landed their cargoes of slaves in the Havana, without having fallen in with any ship-of-war under British colours.

These vessels are consigned to, and I believe are owned by, Messrs. Campo Labierreta y Martinez, of this city.

There is likewise another schooner, which, like the former vessels, arrived here under American colours, and was purchased by the Spaniards, and is now fitting out for the Coast of Guinea,—no doubt for slaves,—her American name is "*William Gardner*," her Spanish name not yet known.

During my 6 years' residence in Cadiz, I have never succeeded, from any representation of mine, in causing a single slave-vessel, notwithstanding the various remonstrances made by our Legation, to be diverted from her purpose, the Owners having always contrived, by means better understood than described, to elude the efforts of this Government to restrain their undertakings.

I have, &c.

H. U. Addington, Esq.

(Signed)

J. M. BRACKENBURY.

&c. &c. &c.

No. 6.

The Earl of Aberdeen to H. U. Addington, Esq.

SIR,

Foreign Office, June 29, 1830.

IN acknowledging the receipt of your despatch, marked slave-trade, of the 8th of March, 1830, I will not conceal from you the feeling of disappointment, which has been excited by the perusal of the note enclosed in your despatch, in which the Government of His Catholick Majesty have declined to make any of the additions proposed to the Treaty of 1817, or to amend the laws for carrying it into effect, and have confined themselves to the promulgation of a document in the shape of a Royal Order, so loose and ineffectual, as to be calculated only to confirm the Spanish Colonial Authorities in the belief, that their Government is determined still to wink at the continuance of those evasions of the Treaty of 1817, which are not denied even in the document in question, and which have been the subject of the repeated and fruitless remonstrances of each of His Majesty's Ministers at Madrid, ever since the Treaty was concluded.

I have His Majesty's commands to enjoin you to renew, in an urgent manner, to the Government of the Catholick King, a proposition for the conclusion of an Article, additional to the Treaty of 1817, whereby vessels, which, upon inspection, shall be proved to be fitted up expressly for the purposes of illegal slave-trade, shall be rendered liable to capture and condemnation under the Treaty.

The accompanying communication, recently received from the Admiralty, adds one more to the numerous proofs already existing, how nugatory all efforts for putting down illegal slave-trade must be, without the aid of the proposed measure.

Collecting, therefore, from the correspondence which you will find in the archives of the mission, the whole circumstances of the case of the "*Fama*," alias "*Nueva Diana*," of Cadiz, you will found upon that case a renewed representation to the Spanish Government, with a view of inducing them at length to do justice, by the proposed Additional Article to the Stipulations of the Treaty of 1817, and you will particularly remind the Spanish Minister, that His Catholick Majesty not only engaged, by the 1st Article of that Treaty, "that the slave-trade should be abolished throughout the entire dominions of Spain, on the 30th day of May 1820, and that from and after that period, it should not be lawful for any of the subjects of the Crown of Spain to purchase slaves, or to carry on the slave-trade, on any part of the Coast of Africa, upon any pretext, or in any manner whatsoever;" but that he furthermore bound himself, by the 6th Article, "to adopt, in conformity to the spirit of this Treaty, the measures which are best calculated to give full and complete effect to the laudable objects, which the High Contracting Parties have in view.

I am, &c.

(Signed)

ABERDEEN.

H. U. Addington, Esq.
&c. &c. &c.

P. S. The accompanying despatch* which has recently been received from His Majesty's Commissioners at the Havana, giving an account of the slave-trade at that place during the year 1829, serves to confirm, but too strongly, the reports previously received, that the orders issued by the Spanish Government to the Colonial Authorities, for the ostensible purpose of suppressing illegal slave-trade, have never been really carried into effect in Cuba.

(Signed)

ABERDEEN.

* Havana Commissioner, January 1, 1830. See Class A.—No. 70.

Enclosure in No. 6.

J. Barrow, Esq. to J. Backhouse, Esq.

SIR,

Admiralty Office, February 2, 1830.

I AM commanded by my Lords Commissioners of the Admiralty to transmit to you, for the information of the Earl of Aberdeen, extracts of 2 letters from Captain Owen, of His Majesty's ship "*Eden*," respecting the Spanish slave-vessel "*Fama*," or "*Nueva Diana*."

I am, &c.

John Backhouse, Esq.
&c. &c. &c.

(Signed)

JOHN BARROW.

Sub-Enclosure (A.) in No. 6.

Extract of a Letter from Captain Owen, of His Majesty's Ship "*Eden*," to Mr. Croker, dated Clarence Cove, March 28, 1829.

ON Sunday the 8th instant, the "*Cornelia*," my tender, was hailed by a corvette under French ensign and pendant; Lieutenant Kellet went on

board to pay his respects to her Commander, who informed him it was His Most Christian Majesty's ship "*Amphitrite*;" although Mr. Kellet could not speak French, he was convinced that she had assumed a false character, and he remained in company with her 2 days, the ship anchored off Bonny Bar, and sent her boats into the river; and Lieutenant Kellet came to me on the 11th with the information.—The "*Eden*" was lying here with her bowsprit out, we had a new one in hand, and 2 lower caps; being convinced that the vessel in question was one of those pirates which infest these coasts, I equipped the "*Eden*" immediately, and dispatched her and the tender, on the 13th instant, to bring the suspicious ship to me. Acting Commander Badgeley, to whom I confided the execution of this service, executed it faithfully. Light winds and easterly currents prevented his reaching Bonny Bar before the 18th instant, but the "*Cornelia's*" superior sailing enabled her to attain that point on the 16th instant.

They found the said corvette on the bar, where the "*Cornelia*" had left her on the 10th, and she then shewed Spanish royal colours.

On seeing the "*Eden*," she weighed and stood to sea, and from her superior sailing, would have escaped the "*Eden*," but the "*Cornelia*," who had been watching her until the "*Eden's*" arrival, brought her to, to await the "*Eden*."

She was fully prepared for action, as was the "*Eden*," Acting Commander Badgeley being within a boat-hook's length of her, ordered her Master and his papers on board; the Chief Mate came, and when desired to hail his ship, and order all the officers on board, he said, he might order them, but he was sure they would resist. The "*Eden*," therefore, ranged up alongside her, and hailed that all the officers had 2 minutes allowed them to come on board in their own boat. She was then perfectly prepared for battle, her officers and men at their quarters, guns loaded, matches alight, &c., so was the "*Eden*." The Spanish officers, however, were all on board within twice the time prescribed, and she was taken possession of, and brought for my examination on the 20th. She proved to be the "*Diana*," of Cadiz, alias "*La Fama*," the same that took off a cargo of 500 or 600 slaves last year from Whydah; she had a letter of marque from Havana; as I could find no manifest of cargo, nor indeed any account of, nor any cargo except provisions, it appeared to me that she trusted to her guns only, to effect the purposes of her voyage, I detained her on examination until the 26th instant. Her Master was at Bonny, and on the day mentioned, her Mate produced me vouchers, to shew that a considerable cargo had been landed.

Notwithstanding the very suspicious character which she had assumed, and the certitude that her examination furnished, that she was equipped for the illicit purpose of slaving; yet, as she had not had a slave on board on her present voyage, she could not be condemned under the Treaties; I therefore liberated her on that day, and allowed all the Spanish captives in my possession to depart in her.

She is a deep-waisted corvette of upwards of 500 tons, mounts 18 long 12-pounders, but has 11 ports on each side. She was manned with 140 men, and had double sets of officers, viz: 2 Chief Mates, 2 Second ditto, 2 Boatswains, 2 Masters at Arms, 2 Surgeons, &c.

Sub-Enclosure (B.) in No. 6.

Extract of a Letter from Captain Owen, of His Majesty's Ship "Eden," to Mr. Croker, dated Cape Coast, November 1, 1829.

THE correspondence of His Majesty's Ministers, relative to the slave-trade with Foreign Powers, has very lately fallen into my hands, where I observe, by letters from Mr. Bosanquet, from Madrid, of the 15th and 16th of January, and 10th of April, 1828, mention made of the outfit of the "*Fama*," or "*Nueva Diana*."

Conceiving the further history of that vessel may be desired, I take leave to

refer you to my letter of the 28th March last, where it will be seen she succeeded in the voyage for slaves, mentioned by Mr. Bosanquet, and by the account of her officers and crew, landed 700 at Cuba.

She has also succeeded in her last voyage, and escaped with a full cargo from Bonny in May last, accompanied by 2 schooners, having on board a total of not less than 1,000 slaves.

No. 7.

H. U. Addington, Esq. to the Earl of Aberdeen.—(Received Aug. 25.)

MY LORD,

Madrid, July 31, 1830.

YOUR Lordship's despatch, marked slave-trade, of the 29th ultimo, reached me by the ordinary post, on the 27th instant only, several days later than other despatches of a later date, which had been delivered to me by the Messenger Holmes.

I have not yet had time to prepare in writing such a communication, as your Lordship instructs me to make to M. Salmon, respecting the Additional Article which you desire to have annexed to our Slave-trade Treaty with Spain, but I have taken an opportunity of speaking on the subject with M. Salmon, and informing him, in urgent terms, of the expectation entertained by His Majesty's Government, that that of His Catholick Majesty will no longer hesitate to accede to a proposition, which has for its sole object to give real effect to the Treaties already in existence, the provisions of which have been constantly to this moment evaded, and rendered null by the culpable negligence or fraud of the Authorities in Cuba.

M. Salmon, in reply, did not positively reject the notion of an Additional Article to the Treaty, such as your Lordship desires, but mildly observed, that the objection, which was felt to the admission of such a provision, arose from the apprehended abuses which might result from it, in the undue detention of Spanish vessels by English cruizers, which, he said, might seize lawful traders, on the plea of their being fitted up as slave-vessels.

I combated this notion as one of too extreme apprehension to bear argument, since, I observed, it was quite impossible, that any ordinary merchant-ship *could* be mistaken for a slaver, so totally different was the fitting-up of the one, compared with that of the other. Besides, I observed, so strict were the instructions now given to English Commanders, that none would dare to go so manifestly beyond the line of his duty, as in such an instance as M. Salmon had suggested.

M. Salmon assured me, that further orders had been sent out to the Havana, respecting the mode of information taken by the Captain of the Port, on board ships accused by His Majesty's Commissioners of slave-trading. The Captain was henceforward to proceed in person on board, and investigate each case in the strictest and most impartial manner. This order M. Salmon said he should communicate to me in a short time.

I expressed satisfaction at hearing, that the Spanish Government had turned their attention further, to the mode of correcting the shameful abuses and neglect which existed at the Havana, but informed his Excellency, that I did not see any effectual mode of preventing fraud and evasion, but by the mode pointed out by your Lordship; and that I should accordingly submit to the Spanish Government a proposition to that effect, in writing.

I propose, however, to wait a short time for the communication promised me by M. Salmon, in order to see whether I can not collect from it materials for pressing, with still greater effect, the necessity of acceding to your Lordship's demand.

I have the honour, &c.

(Signed)

H. U. ADDINGTON.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

*The Earl of Aberdeen to the Chevalier de Zea Bermudez.**Foreign Office, October 28, 1830.*

THE Undersigned, &c. with reference to former correspondence, between His Majesty's Government and the Government of His Catholick Majesty, upon the subject of a proposal for the removal of the Mixed Slave-trade Restriction Commissions, from the Colony of Sierra Leone, where they are now established, unto the Island of Fernando Po, has to acquaint the Chevalier de Zea Bermudez, &c., that His Majesty's Government, for the purpose of doing away any difficulties on the part of Spain, to the proposed measure, are disposed to meet the wishes of His Catholick Majesty on the point in question, by plainly and positively recognizing, on the part of England, the rights of Spain to Sovereignty, Property, and Possession, over that island; and by engaging, in the most ample and unequivocal manner, as the Undersigned accordingly engages on the part of his Government, that no danger, wrong, or impediment, will ever result to the Sovereign Rights, Power, and Authority of His Catholick Majesty over Fernando Po, from the establishment forming in that island for the simple object, of executing the existing Treaties for the suppression of the slave-trade.

The Superintendent, who has been sent out to prepare the way for the Members of the Court of Mixed Commission, is directed to limit his operations to that object alone, and to provide for the future disposal of such of the captured Africans, as may be liberated by the adjudication of the Court. He is furnished with no powers of command, beyond what are absolutely necessary for the maintenance of good order, within the precincts of the establishment which he is to form, and to preserve those who are employed under him from the attacks of the natives; and he is invested with no authority, nor is it intended to supply him with any, which can, in any way, interfere with the Rights of the Sovereignty of His Catholick Majesty.

The Undersigned has further to add to this plain statement, the declaration, that Great Britain has no private object in view in the proposed measure, either against the Rights of Sovereignty of Spain, or against the full and most ample exercise thereof by His Catholick Majesty.

The Undersigned, in conclusion, has only to express the hope of His Majesty's Government, that the acquiescence of His Catholick Majesty, in the proposed removal of the Slave Commissions to Fernando Po, will now be formally announced by the Chevalier de Zea Bermudez, on the part of his Court, conformably with the expectations held out, in the note from the Count de Oñalía, of the 8th of December, 1828, upon this subject.

The Undersigned avails himself, &c.

(Signed) ABERDEEN.

The Chevalier de Zea Bermudez,
 &c. &c. &c.

No. 9.

*The Chevalier de Zea Bermudez to the Earl of Aberdeen.—(Received Oct. 30.)**Londres, 30 de Octubre, 1830.*

EL Infrascrito, &c. tiene la honra de acusar el recibo de la nota del Escellentísimo Señor Conde de Aberdeen, &c. fecha 28 de este mes, que contiene el reconocimiento claro, y positivo, por parte de la Inglaterra, de los derechos de la España á la Soberanía, Propiedad y Posesion de la Isla de Fernando Po, y una declaracion formal del Gobierno de la Gran Bretaña, de que el establecimiento que se está formando en aquella isla, se dirige al sencillo objeto de egecutar los tratados existentes para la supresion del comercio de esclavos, y de que la autoridad conferida al Superintendente Ingles de aquel estableci-

miento debe ceñirse a lo que sea absolutamente necesario para la conservacion del orden en su recinto, y para poner á cubierto á sus subalternos, de las hostilidades de los naturales de la isla: sin perjuicio de los Soberanos Derechos, Dominio, y Autoridad de S. M. Católica sobre aquella posesion suya, ni del pleno y amplio egercicio en ella de dichos derechos.

El Infrascrito, en vista de este reconocimiento y declaracion por parte del Gobierno de S. M. Británica, que satisfacen los reparos que el de S. M. Católica deseaba se satisfaciesen, antes de prestar el consentimiento de la España á la propuesta traslacion del Tribunal de las Comisiones Mistas á la isla de Fernando Pó, se halla completamente autorizado a manifestar al Escelentísimo Señor Conde de Aberdeen, como lo verificar en contestacion á su citada nota, que el Rey, su Augusto Amo, deseando cada dia dar nuevas pruebas de sus deseos de estrechar las amistosas relaciones, que existen entre su Gobierno y el de S. M. Británica, consiente muy gustoso en la traslacion de las Comisiones Mistas contra el comercio de negros, desde la Colonia Inglesa de Sierra Leone á la Isla Española de Fernando Pó, bajo los términos expresados en la mencionada nota, fecha 28 del corriente mes.

El Infrascrito tiene la mayor satisfaccion en poder añadir, que, enterado su Gobierno de las declaraciones verbales que el Escelentísimo Señor Conde de Aberdeen tubo abien hacer al Infrascrito, conformes a las que se contienen en la precitada comunicacion oficial, el Rey su Augusto amo, ansioso de manifestar el solicito interés, con que acude a satisfacer los deseos de S. M. Británica, desde luego espidió en 24 de Agosto último, un Real Decreto, por el cual, acordando S. M. el referido consentimiento, manda á su consejo de Indias, que espida la correspondiente Real Cédula, y que se espresse en ella, que la Isla de Fernando Pó queda dependiente de las Islas Canarias.

El Infrascrito, &c.

(Signed) FRANC^{co}. DE ZEA BERMUDEZ.

Al Escelentísimo Señor Conde de Aberdeen,
&c. &c. &c.

(Translation.)

London, October 30, 1830.

THE Undersigned, &c. has the honour to acknowledge the receipt of the note of his Excellency the Earl of Aberdeen, &c. dated the 28th instant, which contains the clear and positive recognition, on the part of England, of the rights of Spain to the Sovereignty, Property, and Possession of the Island of Fernando Po, and a formal declaration of the Government of Great Britain, that the establishment forming in that island, has merely for its object, the execution of the Treaties subsisting for the suppression of the slave-trade, and that the authority conferred on the English Superintendant of that Establishment, is restricted to what is absolutely necessary for the preservation of order within its precincts, and for the protection of his subalterns against the hostilities of the natives of the island, without prejudice to the Sovereign Rights, Dominion, and Authority of His Catholick Majesty over that possession of his, or to the full and ample exercise in it of the said rights.

The Undersigned, in consideration of this recognition and declaration, on the part of the Government of His Britannick Majesty, which remove the scruples which His Catholick Majesty desired to have satisfied, ere he would yield the consent of Spain to the proposed transfer of the Courts of Mixed Commission to the Isle of Fernando Po, is fully authorized to make known to his Excellency the Earl of Aberdeen, as he does in answer to his Excellency's note above-mentioned, that the King, his august Master, solicitous to afford every day fresh proofs of his wish to draw closer the amicable relations, subsisting between his Government and that of His Britannick Majesty, is most happy to consent to the removal of the Mixed Commissions against the Slave-trade, from the English Colony of Sierra Leone to the Spanish Island of Fernando Po, on the terms stated in the note above referred to, of the 28th instant.

It affords the greatest satisfaction to the Undersigned to be able to add, that, as soon as his Government was informed of the verbal declarations which his Excellency the Earl of Aberdeen was pleased to make to the Undersigned, tallying with those contained in the above mentioned official communication, the King, his august Master, anxious to manifest the solicitude with which he hastens to gratify the wishes of His Britannick Majesty, issued immediately, on the 24th of August last, a Royal Order, giving the above consent. He directs His Council of the Indies to put forth the corresponding Royal Cedula, and to express in it, that the Island of Fernando Po continues a dependency of the Canary Islands.

The Undersigned, &c.

(Signed) FRANCISCO DE ZEA BERMUDEZ.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 10.

Viscount Palmerston to H. U. Addington, Esq.

SIR,

Foreign Office, December 24, 1830.

YOUR despatches, marked slave-trade, of this year, have been received up to that of the 31st of July last.

That despatch appears to have been written in answer to an instruction to you, under date of the 29th of June last, signifying His Majesty's commands to you "to renew in an urgent manner," to the Government of His Catholick Majesty, a proposition for the conclusion of an Article, additional to the Treaty of 1817, whereby vessels, which, upon inspection, shall be proved to be fitted up expressly for the purposes of illegal slave-trade, shall be rendered liable to capture and condemnation under the Treaty.

I perceive that you state in your despatch, (No. 7.) that you had not yet had time to prepare in writing the communication which you were instructed to make; that you, however, had spoken to Mr. Salmon upon the subject, and that you proposed to wait a short time for a communication, which that Minister had promised to make to you, to ascertain whether you could not collect from it sufficient grounds for pressing, with still greater effect, the necessity of acceding to the demand of this Government.

In the meantime some months have elapsed, and His Majesty's Government have not heard further from you upon the subject.

Every arrival from the Havana brings fresh testimony of the impunity and the activity, with which the slave-trade is carried on upon the Coast of Cuba: I send to you, herewith, copies of 2 despatches* upon this point received but a few days ago; and I send to you likewise a copy of a despatch,† which I have just received from His Majesty's Commissioners at Sierra Leone, stating the increase of illegal slave-trade in the rivers in the neighbourhood of Sierra Leone, and their conviction that, if such an article as that which you were instructed to propose, were agreed to by all the Powers, who have entered into Treaties with Great Britain for the suppression of illegal slave-trade, the effect would be most material in reducing that illegal traffick.

I have to desire, therefore, that you will lose no time in carrying into effect the instructions, which you have already received, to press, in the most urgent manner, upon the Government of His Most Catholick Majesty, the conclusion of the article in question, in proof of their real intentions to give due effect to the stipulations of the Treaty, concluded in the year 1817, whereby Spain pledged herself to the complete abolition of the African slave-trade on the part of the subjects of His Catholick Majesty.

I am, &c.

H. U. Addington, Esq.

&c.

&c.

&c.

(Signed) PALMERSTON.

* See Class A.—No. 105 and No. 106

† See Class A.—No. 14.

No. 11.

H. U. Addington, Esq. to Viscount Palmerston—(Received December 27.)

MY LORD,

Madrid, December 12, 1830,

IN my despatch, marked slave-trade, of the 31st July last, in reply to the Earl of Aberdeen's despatch, which, although dated the 29th of July, reached me only on the 27th of July, I stated that, in conferring on the subject of that despatch with the Spanish Secretary of State, his Excellency informed me, that he was preparing to make a communication to me, by which it would be seen, that further orders of an imperative nature had been given by His Catholick Majesty to the Spanish Authorities at the Havana, for the more effectual prevention of the traffick in slaves still carrying on there.

This communication was accordingly made to me on the 4th of August, and was most completely null, as your Lordship will perceive by the copy of Mr. Salmon's letter, which I herewith enclose.

I accordingly prepared to lay before the Spanish Secretary of State, in an official note, the desire and expectation of His Majesty's Government, that His Catholick Majesty would, at length, agree to the adoption of such measures, as should finally have the effect of exterminating the slave-trade in all his dominions.

I have now executed the orders which I received from the Earl of Aberdeen, in calling the attention of the Spanish Government, in an earnest and serious tone, to the continued abuses respecting the slave-trade, which are practised in Cuba, and to the insufficiency of existing Treaty provisions, and the inefficacy of the measures hitherto adopted by His Catholick Majesty, for the extinction of that inhuman traffick in his dominions.

Those abuses, and that inefficacy, I have demonstrated by the evidence conveyed to me in the Earl of Aberdeen's above cited despatch; and I have concluded by submitting afresh, and in an urgent manner, to the Spanish Government, conformably to the instructions therein contained, the proposition which has been already made, but rejected by them, for the annexation to the Slave-trade Treaties already in force, of an Additional Article similar to that which is appended to the Treaties between Great Britain and the Netherlands.

I have the honour to enclose, herewith, a copy of the letter addressed by me on this subject to the Spanish Secretary of State.

Although I have conversed with his Excellency more than once on these points, I cannot venture yet to predict what is likely to be the fate of the proposition submitted by me. I can only say, that Mr. Salmon himself does not appear personally opposed to its acceptance.

I have the honour to be, &c.

(Signed) H. U. ADDINGTON.

The Right Hon. Viscount Palmerston,
&c. &c. &c.

First Enclosure in No. 11.

(Translation.)

Chevalier de Salmon to H. U. Addington, Esq.

SIR,

Palace, August 2, 1830.

THE King, my august Master, being made acquainted with the contents of the notes of your predecessor, of the 14th and 15th of December 1828, and of the 25th of the same month of last year, respecting the slave-trade carried on by the Spanish schooner "*Elena*" or "*La Paz*," has been pleased to command, after having heard the judgment pronounced in this case by the Supreme Council of the Indies, that more decisive orders should again be sent, as is already done, to the Captain-General of the Island of Cuba, to allow in no

manner the provisions of the Treaty for the abolition of the slave-trade to be evaded.

I communicate to you this order of the King, my august Master, for your information ; seizing this occasion to renew, &c.

(Signed) MANUEL GONZALEZ SALMON.

H. U. Addington, Esq.

&c. &c. &c.

Second Enclosure in No. 11.

H. U. Addington, Esq. to the Chevalier de Salmon.

SIR,

Madrid, December 8, 1830.

THE difficult position in which the circumstances of the last 4 months had placed this country, and the very natural anxiety which those circumstances occasioned to His Catholick Majesty and His Ministers, induced me to forbear, during that period of embarrassment, from pressing upon the attention of the Spanish Government, further than by occasional and verbal communications with your Excellency, a subject upon which I received, some time since, express instructions to address you. That subject is the slave-trade, as still perseveringly carried on at the Havana, in spite of whatever measures may have been hitherto applied by His Catholick Majesty for its suppression.

The cause, which induced my silence hitherto, has now happily ceased to operate ; and I proceed, therefore, to execute the task which has been enjoined me.

It is unnecessary for me to recall to your Excellency's recollection, the unceasing reclamations made by my predecessors, for a long series of years, against the continued abuses practised at the Havana, in respect to the trade in slaves, notwithstanding those solemn engagements, by which His Catholick Majesty has bound himself to Great Britain, to effect the extirpation of that odious traffick in every part of his dominions.

In continuation of those representations, I have myself had occasion to address your Excellency, more than once, in order to shew you, on undeniable evidence, that vessels are still constantly fitting up at Cadiz for the conveyance of slaves ; that slaves are still constantly landed in the Island of Cuba ; and that vessels are still constantly clearing out at the Havana for the Coast of Africa, to take in fresh cargoes.

In further proof, if further proof can be required of these facts, I herewith lay before your Excellency the copy of a letter,* addressed, on the 1st of January last, to the Earl of Aberdeen, by the British Commissioner at the Havana, together with 3 statements, therein enclosed, in which is displayed the state of the traffick in slaves carried on in Cuba, in the years 1828 and 1829.

By the statement, No. 1, it appears, that, in 1828, 63 vessels cleared out from the Havana for the Coast of Africa ; that 2 alone returned with lawful cargoes ; and that 35 are known to have landed slaves in Cuba.

By the statement, No. 2, it is shewn, that, in 1829, 45 vessels cleared out from the same place, for the Coast of Africa, being less than the number of the preceding year ; but the number of arrivals, during the same respective period, was greater than in 1828, as will be seen in statement No. 3. Of the abovementioned 45 vessels, 9 had already returned to Cuba by the 1st of January 1830, and 1 had been captured by a British cruiser.

The letter of the British Commissioner accompanying those statements, shews clearly, that if there had been any diminution in the trade for 1829, as compared with that for 1828, that diminution is attributable to extraneous circumstances, and not to the efficacy of the measures hitherto adopted for the suppression of the trade, or to an increase of vigilance or goodwill on the part of the Spanish Authorities at the Havana.

The total inefficiency of those measures is clearly established by 2 letters† which I annex hereto, and which have been addressed to the Admiralty, by Captain Owen, of His Majesty's ship "Eden," a British Officer entrusted

* See Class A. — No. 70.

† See Enclosures in No. 6.

with a command on the African Coast for the prevention of the slave-trade. In the first of these letters, dated the 28th of March 1829, Captain Owen states, that he had fallen in with a Spanish vessel, called the "*Fama*," or "*Nueva Diana*," navigating under French colours, which had already taken off a cargo of 500 or 600 slaves from Whydah, on the Coast of Africa, in the preceding year. But he adds, that, notwithstanding the certainty of her intention to repeat the same process, presumable as well by analogy, as by the fact of her being fitted up in every point as a slave-trader, he could not touch her, because she had no slave actually on board.

By Captain Owen's second letter, dated the 1st of November of the same year, it will be seen, that the same vessel did actually take in a cargo of slaves in that voyage, and nearly at the time at which he fell in with her; and that she made good her departure from the Coast of Africa. By referring to the statement No. 3, already adverted to, it will further be seen, that the "*Fama*," or "*Nueva Diana*," arrived at the Havana, on the 22d July, 1829.

I apprehend that your Excellency will hardly require further proof of the utter inadequacy of the measures now in force, for the suppression of the slave-trade in the Spanish colonies, or of the insufficiency of the provisions of existing Treaties, framed for the accomplishment of that object.

Taking, therefore, that inadequacy as a demonstrated fact, and considering as solemn, and not to be treated as a dead letter, the obligations by which His Catholick Majesty has bound himself "to co-operate with His Britannick Majesty in the cause of humanity, by adopting, in concert with His said Majesty, efficacious means for bringing about the abolition of the slave-trade; for effectually suppressing illicit traffick in slaves on the part of their respective subjects;" and further "to adopt, in conformity with the spirit of the Treaty, the measures which are best calculated to give full and complete effect to the laudable objects which the High Contracting Parties have in view," I am directed by His Majesty's Secretary of State once more to propose to the Spanish Government, and in the most urgent manner, the annexation of an Additional Article to the already existing Treaties for the abolition of the slave-trade, similar to those acceded to by the King of the Netherlands. I have the honour to submit to your Excellency herewith a copy of that article. From those provisions no practical evil has been found to flow to the Netherlands; nor will any evil ever be found to flow from them, if admitted, as I confidently hope they will be, to the lawful trade of Spain.

In submitting afresh this proposition to your Excellency, I cannot conceal from you the deep disappointment which was experienced by His Majesty's Government on the perusal of the note, which your Excellency did me the honour to address me on the 4th of March last, in which your announced to me, that all the just and well founded desires, which His Majesty's Government had so frequently and earnestly expressed on a subject, in which they take the deepest interest, had been rejected by His Catholick Majesty, and that, in the place of the proposed provisions, a Royal Order to the Authorities at the Havana had been substituted, which antecedent circumstances give His Majesty's Government just right to consider as likely to be totally unavailing.

I have the honour, &c.

(Signed)

H. U. ADDINGTON.

His Excellency the Chevalier de Salmon,
 &c. &c. &c.

BRAZIL.

No. 12.

A. Aston, Esq. to the Earl of Aberdeen.—(Received Feb. 7, 1830.)

MY LORD,

Rio de Janeiro, November 28, 1829.

I HAVE the honour to forward to your Lordship, a copy and translation of the official notification, published by the Brazilian Minister for Foreign Affairs, respecting the construction, which His Majesty's Government have consented should be adopted upon that stipulation of the Convention of 1826 with Brazil, which regulates the period for the abolition of Brazilian slave-trade; according to which construction, Brazilian slave-ships, which shall be proved to have finally quitted the African Coast on or before the 13th of March 1830, may be permitted to prosecute and finish their *bond fide* voyages, direct from Africa to a port in Brazil, without incurring the liability of being treated as pirates.

I have, &c.

(Signed) A. ASTON.

The Right Hon. the Earl of Aberdeen K. T.
 &c. &c. &c.

Enclosure in No. 12.

(Translation.)

Notice to the Assembly of Commerce, Agriculture, Manufactures, and Navigation of the Empire of Brazil, by a Portaria, of the following tenour.

THE Chargé d'Affaires of this Empire, near the Government of His Britannick Majesty, having succeeded in the measures, which had been most earnestly recommended to him by this Secretary of State's Office for Foreign Affairs, in order to obtain a reasonable term for settling the affairs on the Coast of Africa, which are still pending, relating to the lawful traffick in slaves; the said Chargé d'Affaires has obtained, by a note of September 16 last, from the competent Minister and Secretary of State, the Earl of Aberdeen, the assurance, that the British Government was about to issue instructions to the Commanders of Naval Forces, and to the respective Authorities, informing them, that the slave-trade, conformably to the agreements existing between Great Britain and Brazil, shall be lawfully continued by the subjects of this Empire on the Coast of Africa, until March 13, 1830; and, consequently, that those Brazilian vessels, employed in that traffick, which can prove that they have finally left the Coast of Africa, on or before that period, shall prosecute and finish their *bond fide* voyages, direct from Africa to any port in Brazil, without incurring the liability of being treated as pirates, according to the Convention, notwithstanding their being met with at sea after the said period of the 13th of March 1830.

His Majesty the Emperor ordains, that this notice be communicated, by the said Secretary of State's Office for Foreign Affairs, to the Assembly of Commerce, Agriculture, &c. &c. in order to give it due publicity.

(Signed) MARQUIS OF ARACATY.

Rio de Janeiro, November 4, 1829.

No. 13.

The Chevalier de Mattos to the Earl of Aberdeen.—(Received April 6.)

Wimpole-Street, ce 3 Avril, 1830.

LE Soussigné, Chargé d'Affaires de Sa Majesté l'Empereur du Brésil, a l'honneur de repliquer à la note adressée à M. le Vicomte d'Itabayana le 10 Mars 1829, par son Excellence M. le Comte d'Aberdeen, Principal Secrétaire d'Etat de Sa Majesté Britannique au Département des Affaires Etrangères. Dans cette note le Soussigné voit exprimée la résolution, du était le Gouvernement du Roi, de ne pas accorder les indemnités réclamées en faveur des propriétaires du bâtiment Brésilien "*Tres Amigos*," injustement condamné par la Commission Mixte de Sierra Leone, résolution fondée sur ce que l'Article 4^{me} du Règlement Additionnel à la Convention du 28 Juillet 1817, et l'Article 1^{er} des Instructions annexées à la même Convention, cités par M. d'Itabayana à l'appui de cette réclamation, se rapportant à des bâtimens munis de passeports pour faire la traite, ne pouvaient pas être appliqués au cas du "*Tres Amigos*," qui n'était point pourvu d'un pareil document.

La question, par conséquent, se réduit à savoir si le Capitaine du "*Tres Amigos*" par le seul fait d'avoir à bord trois petites nègresses, achetées dans un port d'Afrique au sud de l'Equinoxiale, et destinées à son service particulier, devait être considéré et puni comme infracteur des Conventions existantes.

D'abord c'est un fait constant, que tous les bâtimens, destinés à traite des nègres, étaient disposés intérieurement d'une manière particulière, et ne pouvaient pas se passer d'un grand nombre de tonneaux, chaudières, chaines, et autres utensiles, qui ne sont point nécessaires à d'autres navires de commerce. Or rien de tous ces préparatifs ne fût trouvé à bord du "*Tres Amigos*," ni aucun autre indice qui pût le faire soupçonner d'y avoir eû des esclaves destinés à la traite, ou de l'intention d'aller les prendre dans quelque port de l'Afrique. Cette vérité devient encore plus palpable en réfléchissant, que si l'intention ou la conduite du Capitaine eussent été celles que lui ont été attribuées, il ne seraient certainement pas entré, et resté pendant plusieurs jours, dans le port même, où résidait l'autorité chargée de punir les violations des traités respectifs: au surplus il n'aurait pas trouvé la moindre difficulté à se munir d'un passeport pour la traite licite, à fin de mieux cacher ses vues criminelles. D'ailleurs, comment est il possible de croire, qu'un armateur aurait voulu préparer son navire pour un voyage de cet ordre, et courir le risque de le voir confisquer, ou de payer au Gouvernement Impérial la forte somme de quatre contos de reis, pour laquelle il avait donné caution avant son départ de Rio de Janeiro, et tout cela uniquement pour le misérable profit, que pourraient lui procurer trois petites nègresses?

La Commission était tellement persuadée de l'insuffisance de la circonstance du passeport pour justifier un jugement condamnatoire, qu'elle s'abstint même d'en faire mention, et tacha de colorer l'acte arbitraire du dit jugement en déclarant très vaguement, que le bâtiment faisait le commerce illicite d'esclaves au moment de sa capture. Où le faisait-il, c'est ce que ne dit point la sentence. Mais on sait, qu'il resta plusieurs jours à Freetown pour s'y ravitailler, et que quelques heures après en avoir mis à la voile, il fut capturé par la frégate "*North Star*." Donc pour que le motif, sur lequel a été fondée la sentence, ait quelque apparence de vérité, on doit supposer que le bâtiment faisait la traite dans le port même de Freetown, sous les yeux de la Commission, où bien à la haute mer. Or la première de ces hypothèses, naturellement inadmissible, devient aussi absurde que la seconde; quand on lit dans la sentence, que la totalité des esclaves trouvés à bord se composait de trois petites nègresses, achetées à Angola et destinées au service domestique du Capitaine.

Le Soussigné passera à présent à examiner, si, en conformité des Conventions existantes, ce dernier fait par lui seul pourrait être considéré comme motif suffisant pour justifier la capture du navire "*Tres Amigos*."

Quoique l'Article Additionnel à la Convention, signée à Vienne le 22 Janvier 1815, ne traite pas exactement le point en question; cependant les circon-

stances y mentionnées sont si analogues, qu'il peut être cité à l'appui de la présente réclamation. Il y est déclaré, que si un Portugais voulait passer de quelque établissement de la Couronne de Portugal en Afrique à toute autre partie de la Monarchie Portugaise avec des nègres *bond-fide* ses domestiques, il pourrait le faire librement, excepté sur un bâtiment négrier. Or dans le cas en question le navire n'était pas négrier, et les trois nègresses, qui s'y trouvaient, étaient précisément des domestiques, que le Capitaine emmenait avec lui au Brésil.

L'Article 6^{me} de la Convention du 28 Juillet, 1817, est encore plus précis, et plus clair, s'il est possible; "In order to render lawful the detention of any ship, whether British or Portuguese, the slaves found on board such vessel must have been brought there for the express purpose of the traffick, and those on board Portuguese ships must have been taken from that part of the Coast of Africa, where the slave-trade was prohibited by the Treaty of the 22d of January 1815." Les mots, "for the express purpose of the traffick," et la phrase qui termine l'Article ci-dessus, sont entièrement applicables au cas du navire "*Tres Amigos*," comme le Soussigné vient d'avoir l'honneur de le démontrer.

En fin l'Article 1^{er} des Instructions, annexées à la Convention mentionnée, établit le même principe. Et si cet Article n'a de rapport qu'aux bâtimens munis de passeports pour faire la traite, comme le prétend M. le Comte d'Aberdeen, à plus fort raison doit-il être appliqué à ceux, qui, n'ayant pas de semblables documents, ne pouvaient être si facilement soupçonnés d'avoir violé les Conventions en faisant la traite illicite, car la présomption était entièrement en leur faveur. Cet argument devient encore plus conclusif, quand on considère que les Hautes Parties Contractantes, loin d'avoir l'intention de protéger exclusivement les bâtimens négriers par l'Article, qui vient d'être cité, se proposaient plutôt de mettre à l'abri de captures arbitraires ceux que ne l'étaient point; mais dont les équipages, presque toujours composées en totalité, ou en grande partie, d'esclaves, pouvaient donner lieu à des contestations très répétées.

D'après les considérations, que le Soussigné vient d'exposer, il lui semble démontré que le bâtiment "*Tres Amigos*," loin d'avoir violé en aucune manière les Traités subsistants entre le Brésil et la Grande Bretagne, à l'égard de la traite des nègres, a été lui même le victime d'une des plus criantes infractions de ces actes, de la part des croiseurs de Sa Majesté Britannique et de la Commission de Sierra Leone.

Le Soussigné, en terminant cette note, ne peut pas se dispenser d'observer aussi, que des injustices si frappantes n'aurait certainement pas eû lieu, si la Commission, au lieu de consister seulement du Gouverneur de la colonie, eût été composée de Commissaires des deux nations.

Cependant telle est la confiance, que le Soussigné place dans l'impartialité du Gouvernement Britannique, qu'il ne peut nullement douter du bon resultat de ses représentations en faveur des propriétaires du navire "*Tres Amigos*," et que les indemnités, auxquelles ils ont un droit incontestable, leur seront enfin accordées.

Dans cette juste esperance le Soussigné à l'honneur de renouveler, &c.

(Signé)

LE CHEVALIER DE MATTOS.

Son Excellence Monsieur le Comte d'Aberdeen.

&c.

&c.

&c.

(Translation.)

Wimpole-Street, April 3, 1830.

THE Undersigned, Chargé d'Affaires of His Majesty the Emperor of Brazil, has the honour of replying to the note addressed to the Viscount Itabayana, on the 10th of March 1829, by his Excellency the Earl of Aberdeen, His Britannick Majesty's Principal Secretary of State for Foreign Affairs. From that note the Undersigned finds, that the King's Government has resolved not to grant the indemnities claimed in favour of the Owners of the Brazilian vessel "*Tres Amigos*," unjustly condemned by the

Mixed Commission at Sierra Leone, founding its resolution on the circumstance, that the 4th Article of the Regulations annexed to the Convention of the 28th July 1817, and the 1st Article of the Instructions subjoined to the same, quoted by M. d'Itabayana in support of that claim, related to vessels provided with passports for carrying on the trade, and was, therefore, inapplicable to the case of the "*Tres Amigos*," a vessel not supplied with such a document.

Consequently the question amounts to no more than this, whether the Captain of the "*Tres Amigos*," for the only circumstance of having on board 3 young negresses, purchased in an African port South of the Equator, and destined to his private service, was to be considered and punished as an infringer of subsisting Conventions.

In the first place, it is a constant fact, that all vessels intended for the slave-trade are fitted up in a particular manner, and cannot dispense with a great number of casks, coppers, chains, and other utensils, not required by other merchant vessels. Now, not one of all these accommodations was found on board the "*Tres Amigos*," nor any other sign that could make her suspected that slaves had been there, designed for the trade, or that she had an intention of going to receive any in some African port. This truth becomes still more palpable, when it is reflected, that, if the intention or conduct of the Captain had been such as have been attributed to him, he would certainly not have put into, and remained for several days in, the very port in which resided the authority empowered to punish the violations of the respective Treaties. Besides, he would not have found the least difficulty in procuring a passport for the lawful trade, in order the better to conceal his criminal views. And how can it possibly be believed, that a Captain would have been disposed to prepare his vessel for a voyage of this description, and to run the risk of having her confiscated, or of paying to the Imperial Government the large sum of 4,000,000 of reis, for which he had given security previous to his departure from Rio de Janeiro, and all this merely for the pitiful profit that could accrue to him from 3 negresses?

The Commission was so persuaded of the inefficiency of the circumstance relating to the passport, for justifying a sentence of condemnation, as to refrain even from mentioning it, and to endeavour to colour the arbitrary act of the said sentence, by very vaguely declaring, that the vessel was carrying on the illicit slave-trade at the moment of her capture. Where she was doing so, is not stated in the sentence. But she notoriously continued 3 days at Freetown, for the purpose of taking in provisions; and, a few hours after sailing from thence, she was captured by the "*North Star*," frigate. To give, therefore, to the motive, on which the sentence has been grounded, some appearance of truth, it must be supposed, that the ship carried on the slave-trade in the port of Freetown itself, under the eyes of the Commission, or on the high seas. The first of these suppositions, of itself inadmissible, becomes as absurd as the second, when we read in the sentence,—that the whole of the slaves found on board consisted of 3 young negresses, bought at Angola, and intended for the household service of the Captain.

The Undersigned now goes on to examine, whether, in conformity with the subsisting Conventions, the last mentioned circumstance alone could have been considered as a sufficient motive to justify the taking of the "*Tres Amigos*."

Though the Additional Article to the Convention, signed at Vienna the 22d January 1815, does not allude precisely to the point in question, yet the circumstances there mentioned are so analagous, that it may be quoted in support of the present reclamation. It is there declared, that if a Portuguese wished to go from an establishment of the Crown of Portugal in Africa, to any other portion of the Portuguese Monarchy, with blacks, *bond fide* his menials, he might freely do so, except on board a slave-vessel. Now, in the case under consideration, the vessel was no slave-ship, and the 3 black females were actually menials whom the Captain took with him to Brazil.

The 6th Article of the Convention of the 28th July 1817 is, if possible, yet more explicit and more clear;—"In order to render lawful the detention of any ship, whether British or Portuguese, the slaves found on board such

vessel must have been brought there for the express purpose of the traffick ; and those on board Portuguese ships, must have been taken from that part of the Coast of Africa, where the slave-trade was prohibited by the Treaty of the 22d of January 1815." The words, "for the express purpose of the traffick," and the paragraph terminating the above article, are directly applicable to the case of the ship "*Tres Amigos*," as the Undersigned has had the honour to shew.

Finally, the 1st Article of the Instructions, annexed to the Convention, establishes the same principle. And if that Article refers only to vessels provided with passports for carrying on the trade, as the Earl of Aberdeen contends, then it must, for a much stronger reason, be applied to those which, being without such documents, could not so easily be suspected to have violated the Conventions, by carrying on the illicit trade, for the presumption was entirely in their favour. This argument becomes still more conclusive, when it is considered, that the High Contracting Parties, so far from intending to protect exclusively the negro vessels by the Article just quoted, designed rather to secure from arbitrary captures those that were not such, but whose crews being almost always composed, either wholly or for the most part, of slaves, might afford occasion for very frequent disputes.

From the considerations just stated by the Undersigned, it seems to him to be demonstrated, that the "*Tres Amigos*," so far from having violated at all the Treaties subsisting between Brazil and Great Britain, in regard to the slave-trade, has herself been the victim of one of the most crying infractions of these acts on the part of His Britannick Majesty's cruizers, and of the Commission of Sierra Leone.

The Undersigned, in concluding this note, cannot neglect also to observe, that such striking acts of injustice would certainly not have occurred, if the Commission, instead of consisting solely of the Governor of the Colony, had been composed of Commissioners of both Nations.

The confidence, however, which the Undersigned reposes in the impartiality of the British Government, is such, that he cannot doubt of the successful issue of his representations in favour of the Owners of the "*Tres Amigos*," and that the indemnities, to which they have an incontestible right, will at length be granted them.

In this just hope, the Undersigned has the honour to repeat, &c.

(Signed) THE CHEVALIER DE MATTOS.

His Excellency the Earl of Aberdeen,
 &c. &c. &c.

No. 14.

The Chevalier de Mattos to the Earl of Aberdeen.—(Received April 6.)

Wimpole-Street, ce Avril 6, 1830.

EN replique à la note, que son Excellence Monsieur le Comte d'Aberdeen, &c. voulut bien adresser à M. le Vicomte d'Itabayana, le 10 Mars 1829, pour lui déclarer que les réclamations des bâtimens Brésiliëns; "*Le Bahia*," "*Le Carlota*," "*Le Trajano*," et "*L'Independencia*," condamnés par la Commission Mixte de Sierra Leone, avaient été trouvées aussi inadmissibles, que celle bric "*Heroïna*," et que tout ce, que contenait la note son Excellence du 2 Décembre 1828, par rapport à ce dernier, devait être appliqué aux cas en question, le Soussigné Chargé d'Affaires de Sa Majesté L'Empereur de Brésil, ayant eû déjà l'honneur de répondre, le 2 Octobre 1829, à tous les argumens compris dans la note citée par Monsieur le Comte d'Aberdeen, se bornera maintenant à relever quelques circonstances, qui semblent avoir échappé à la considération de son Excellence, et qui néanmoins par elles seules mettent en evidence l'illégalité des jugemens, contre lesquels le Soussigné s'acquitte du devoir de réclamer aujourd'hui.

La Commission même, qui a condamné les bâtimens susmentionné

reconnut, qu'au moment de leur capture, il ne fût trouvé à bord d'aucun d'eux des esclaves destinés à traite. Il n'y aurait donc qu'un seul cas, dans lequel ces bâtimens pourraient être regardés saisissables, aux termes de l'Article 1^{er} de la Convention Additionnelle, faite à Lisbonne le 15 Mars 1823. Cet Article, tout en ayant pour but de prévenir les fraudes de la part des Capitaines des navires négriers, n'a cependant pas méconnu la possibilité des abus de force tels que ceux qui ont donné motif aux présentes réclamations, et pour mettre des bornes aux unes et aux autres, il y a été stipulé bien expressément, que les condamnations ne pourraient avoir lieu, à moins qu'on ne prouvât d'une manière claire et incontestable (clear and undeniable proof) que si les navires capturés n'avaient pas effectivement des esclaves à bord destinés au trafic illicite, c'est parce qu'ils les avaient mis à terre auparavant, pour rendre illusoires les Conventions existantes contre ce trafic.

Mais les capteurs ne produisèrent pas la moindre preuve, pour établir qu'une pareille fraude avait été pratiquée par aucun des navires en question; tandis que de l'autre côté les parties intéressées dans cette affaire, non obstant leur ignorance de la langue du tribunal où ne siégeait alors pas un seul Commissaire Brésilien, n'ayant pu trouver un procureur qui voulût se charger de leur défense, et même, ce qui est pis encore, étant entièrement considérés comme des vrais criminels par le seul fait d'être engagés dans le commerce d'esclaves, ont, cependant, mis hors de toute espèce de doute la veridicité des causes majeures, qui les forcèrent à relâcher dans des ports Africains au nord de l'Equinoxiale.

Rien ne peut donc justifier les captures, et moins encore les condamnations, de ces bâtimens, d'après les Conventions existantes. Quant aux particularités qui accompagnèrent la saisie du navire "*Trajano*," effectuée sous les batteries du Fort Portugais d'Ajuda, en contravention de l'Article 2^{de} des Instructions, que font partie intégrant de la Convention 28 Juillet 1817, Monsieur le Comte d'Aberdeen a prétendu, que ce fort étant occupé par un individu bien connu par la Commission Mixte de Sierra Leone pour être engagé dans la traite des nègres, devait être considéré dans un des cas prévus par l'Article 3^{me} des sus-dites Instructions, c'est à dire, comme entièrement abandonné et sans aucune autorité, à laquelle on pût avoir recours. Mais le Fort d'Ajuda, qui ne cessa jamais d'être compté parmi les possessions Portugaises en Afrique, ne pouvait non plus être regardé comme un point abandonné, tant qu'il était occupé par un individu. Si celui-ci faisait la traite illicite, des représentations convenables en auroient dû être adressées au Gouvernement respectif. Les croiseurs Britanniques, aussi peu que la Commission Mixte de Sierra Leone, n'avaient nullement le droit de juger la conduite de l'individu en question, et encore moins d'en rendre responsables les propriétaires du navire "*Trajano*."

Le Soussigné ne peut pas se dispenser d'observer en outre, qu'en accordant à une force étrangère la faculté de s'installer juge des autorités d'une nation amie, ce serait la même chose, que méconnaître son indépendance et sa souveraineté, et du moment qu'un pareil principe serait admis, l'acte d'hostilité, le moins d'accord avec le droit des gens, serait considéré légitime ou excusable.

Pour justifier la capture du "*Trajano*," son Excellence Monsieur le Comte d'Aberdeen a dit, que le Fort d'Ajuda était en possession d'un homme qui violait lui même les Conventions en faisant la traite illicite. Mais le navire "*Independencia*," en danger de couler à fond, faisant un pied d'eau par heure, n'allait pas se mettre sous la protection du fort occupé par cet individu. Il chercha son salut sous la canon du Fort Anglais l'Accara, afin d'y être radoubé et réparer, et néanmoins son sort a été le même; il fût capturé, et la commission l'a condamné.

Si l'on n'avait pas d'autres faits, celui-ci suffirait pour faire voir que les croiseurs Britanniques et la Commission de Sierra Leone ne cherchaient qu'à molester et opprimer les sujets Brésiliens engagés à la traite licite. Plus on examine la matière, et plus on a droit de se convaincre, que les premiers ont été les seuls infracteurs des Conventions existantes, et cela non seulement en ce qui regarde les quatre bâtimens dont il s'agit à présent.

En fin, son Excellence Monsieur le Comte d'Aberdeen ayant déclaré qu'en conséquence des perquisitions, auxquelles la Commission avait procédé

sur la nature des causes alléguées en preuve de la nécessité de la relâche de ces bâtimens dans des ports de l'Afrique, au nord de l'Equinoxiale, on est venu à même de démontrer clairement leur futilité, le Soussigné s'est crû dans le devoir d'examiner, le plus minutieusement possible, leurs procès respectifs ; et le résultat de cet examen lui permet d'avancer, que les Capitaines et les intéressés de ces navires ne méritent point le reproche, qu'on leur a fait sur leur manque de vérité.

On voit, parmi les preuves produites par eux, toutes les pièces généralement requises par le droit maritime de toutes les nations en justification des mesures, qu'ils furent forcés de prendre dans les circonstances où ils se trouvaient.

Au reste, supposant que les preuves en question n'étaient pas satisfaisantes le Soussigné ne craint point d'affirmer, que le point de droit et important à décider, n'étant pas, d'après les Conventions, si ces bâtimens ont été trouvés dans des Ports Africains au nord de la Ligne, mais s'ils y faisaient effectivement la traite, il devient inutile de discuter les causes, qui les ont forcé à y relâcher. C'est la traite des nègres, et non les autres relations commerciales entre le Brésil et les Ports d'Afrique au nord de l'Equinoxiale, que les Hautes Parties Contractantes se proposèrent de prohiber.

Pour prouver donc, que les propriétaires des navires en question n'ont pas droit à recevoir l'indemnisation des pertes qu'ils ont souffertes, il est indispensable d'établir, qu'ils ont effectivement fait la traite dans un des ports susmentionnés, ou bien indiquer l'Article des Conventions que leur interdisait d'y relâcher, et même d'y faire tout autre commerce.

Le Soussigné, considérant ceci comme impossible, et reposant toute confiance dans la rectitude du Gouvernement du Roi, espère qu'il ne manquera pas de rendre justice aux réclamations qui font le sujet de la présente note.

Le Soussigné a l'honneur, &c.

(Signé)

LE CHEV. DE MATTOS.

Son Excellence Monsieur le Comte d'Aberdeen,

&c.

&c.

&c.

(Translation.)

Wimpole-Street, April 6, 1830.

IN reply to the note which his Excellency the Earl of Aberdeen, His Britannick Majesty's Principal Secretary of State for Foreign Affairs, was pleased to address to Viscount Itabayana, on the 10th March 1829, in order to declare to him, that the reclamations of the Brazilian vessels "*Bahia*," "*Carlota*," "*Trajano*," and "*Independencia*," condemned by the Mixed Commission at Sierra Leone, had been found as inadmissible as that of the brig "*Heroína*," and that the whole contents of his Excellency's note of the 2d of December 1828, respecting the latter, must be applied to the cases in question, the Undersigned, Chargé d'Affaires of His Majesty the Emperor of Brazil, having already had the honour of answering, on the 2d of October 1829, to all the arguments employed in the note which the Earl of Aberdeen quotes, now confines himself to the pointing out of some circumstances which seem to have escaped his Excellency's consideration, and which, nevertheless, of themselves, evidently shew the illegality of the adjudications against which the Undersigned, in discharge of his duty, now makes reclamation.

The Commission itself which condemned the above vessels, acknowledged that, at the moment of their capture, there were not found on board any of them slaves destined for the trade. There would then be only one case in which these vessels could be considered as liable to be seized, according to the 1st Article of the Additional Convention, concluded at Lisbon the 15th March 1823. That article, though intended to prevent frauds on the part of the Captains of negro ships, has not overlooked the possibility of abuses of force, such as those which have given occasion for the present reclamations ; and in order to guard against the one and the other, it has been expressly

stipulated there, that condemnations could not take place unless upon clear and undeniable proofs that, if the ships captured had not actually on board slaves designed for the illicit traffick, it was because they had landed them previously, to render the subsisting Conventions against this traffick illusory:

But the Captors did not produce any the least proof to show, that such a fraud had been practised by any of the vessels in question; while, on the other hand, the parties interested on this occasion, notwithstanding their ignorance of the language of the tribunal, in which at that period there was not a single Brazilian Commissioner present, not having been able to procure a Counsel disposed to undertake their defence, and, what is still worse, having been unquestionably considered as really criminal, by reason of the only circumstance of being engaged in the slave-trade, have, nevertheless, placed beyond all doubt the fact of having been forced, by causes above their controul, to put into African ports north of the Equator.

Nothing, therefore, can justify the capture, and much less the condemnation, of these vessels, according to subsisting Conventions. As to the particular circumstances, which accompanied the seizure of the ship "*Trajano*," effected under the batteries of the Portuguese Fort (Ajuda,) in contravention of Article 2 of the Instructions, constituting an integral part of the Convention of the 28th July 1817, the Earl of Aberdeen has alleged, that as that fort was occupied by an individual well known to the Mixed Commission at Sierra Leone, as being engaged in the slave-trade, it was to be considered as within one of the cases anticipated by Article 3 of the above Instructions, that is to say, as entirely abandoned and without any authority to which recourse could be had. But the Fort of Ajuda, which has never ceased to be numbered among the Portuguese possessions in Africa, could not be regarded either as a point abandoned, so long as it was occupied by an individual. If the latter was engaged in the illicit slave-trade, proper representations on the subject ought to have been addressed to the respective Governments. Neither the British cruizers, nor the Mixed Commission at Sierra Leone, possessed the right of taking cognizance of the conduct of the individual in question, and still less of making the owners of the ship "*Trajano*" responsible for it.

Neither can the Undersigned help observing, that to allow an armed force the power of sitting in judgment on the authorities of a friendly nation, would be the same thing as to disown her independence and her sovereignty, and the moment that such a principle were admitted, the act of hostility, which least accords with the law of nations, would be considered as legitimate and excusable.

To justify the capture of the "*Trajano*," his Excellency the Earl of Aberdeen has stated, that the Fort of Ajuda was in the possession of a man, who himself violated the Conventions, by carrying on the illicit trade. But the "*Independencia*," being in danger of foundering, as her leaks let in every hour one foot of water, had no intention to put herself under the protection of the fort occupied by that individual. She took refuge under the cannon of the English Fort Accara, where she wished to be careened and repaired. Her fate, nevertheless, has been the same; she was taken, and the Commission condemned her.

If there were no other fact, the one just mentioned would suffice to shew, that the British cruizers, and the Commission at Sierra Leone, had no other object, than that of annoying and oppressing the Brazilian subjects engaged in the lawful slave-trade. The more the matter is examined, the stronger will be the conviction, that the former have been the only infringers of subsisting Conventions, and that not alone in respect of the 4 vessels now under consideration.

Finally, his Excellency the Earl of Aberdeen, having declared, that in consequence of the investigation set on foot by the Commission, respecting the nature of the causes alleged by these vessels, in proof of the necessity of putting into the African ports north of the Line, it had not been difficult to demonstrate clearly their futility, the Undersigned has deemed it his duty to examine their respective trials as minutely as possible, and the result of this examination enables him to assert, that the Captains of, and persons con-

owned in, these ships, do not deserve the reproach made them of a departure from truth.

Among the proofs produced by them, there appear all the documents generally required by all nations, in justification of the measures, which they were compelled to take in the circumstances to which they were reduced.

For the rest, supposing that the proofs in question were not satisfactory, the Undersigned has no fear to affirm, that, as the point of law, and the question of importance to be decided, is not, according to the Conventions, whether these vessels have been found in African ports north of the Line; but, whether they were actually carrying on the slave-trade, it becomes useless to discuss the causes which forced them to touch there. It is the slave-trade, and not the other commercial relations between Brazil and the African ports north of the Equator, which the High Contracting Parties designed to prohibit.

To prove, therefore, that the owners of the ships in question have no right to receive an indemnity for the losses they have sustained, it is indispensable to establish, that they have actually carried on the slave-trade in the above-mentioned ports, or to point out the Article of the Conventions, which forbade them to put into, and even to ~~carry~~ on any other commerce in, those ports.

The Undersigned, considering this as impossible, and reposing every confidence in the rectitude of the King's Government, hopes that it will not fail to do justice to the reclamations, which form the subject of the present note.

The Undersigned has the honour, &c.

(Signed) THE CHEVALIER DE MATTOS,

His Excellency the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 15.

A. Aston, Esq. to the Earl of Aberdeen.—(Received April 29.)

MY LORD,

Rio de Janeiro, February 19, 1830.

I HAVE the honour to forward to your Lordship the copy of a note, which, conformably to the instructions contained in your Lordship's despatch, marked Slave-trade, of December 5, 1829, I have addressed to the Brazilian Minister, and also of his Excellency's answer.

I have the honour, &c.

(Signed)

ARTHUR ASTON.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

First Enclosure in No. 15.

A. Aston, Esq. to Señor Calmon.

Rio de Janeiro, February 5, 1830.

IN pursuance of instructions from His Majesty's Government, the Undersigned, &c., has the honour to inform Señor Miguel Calmon du Pin e Almeida, &c. that in accordance with the purport of the note addressed by the Earl of Aberdeen to the Chevalier de Mattos, on the 16th September last, relative to the construction to be given to that stipulation of the Convention of the 20th November 1826, with Brazil, which regulates the period for the abolition of the African slave-trade of Brazil, the requisite instructions have been issued to the Commanders of His Majesty's ships and vessels, instructing that Brazilian slave-ships, which shall have finally quitted the African Coast on or before the 13th March 1830, shall not be held to have incurred the liability of being treated as pirates under the Convention with Brazil, in

consequence of being found at sea after the said period, in the *bond fide* prosecution of that particular homeward voyage, which had commenced on or before the 13th of March 1830.

The Undersigned, &c.

(Signed)

ARTHUR ASTON.

The Señor Calmon du Pin e Almeida.

&c.

&c.

&c.

Second Enclosure in No. 15.

(Translation.)

Señor Calmon to A. Aston, Esq.

Rio de Janeiro, February 9, 1830.

IN acknowledging the receipt of the note, which Mr. Aston, &c. addressed to me, on the 5th instant, communicating that his Government had issued proper instructions respecting the treatment of national vessels employed in the slave-trade on their return homewards, after the term stipulated for its abolition; I have to inform Mr. Aston, that the Imperial Legation in London has already made me a similar communication, to which due publicity has been given at this Court.

On this occasion I have, &c.

(Signed)

MIGUEL CALMON DU PIN E ALMEIDA.

A. Aston, Esq.

&c. &c. &c.

No. 16.

The Chevalier de Mattos to the Earl of Aberdeen—(Received May 18.)

Wimpole-Street, ce 17 Mai, 1830.

LE Souissigné, &c. a l'honneur de repliquer à la note que son Excellence Monsieur le Comte d'Aberdeen, &c. voulut bien adresser au Vicomte d'Itabayana le 10 Mars 1829, pour lui faire connaître que le Gouvernement du Roi, ayant trouvé la capture et la condamnation des navires Brésiliens "*Ternadora*," "*Eclipse*," et "*Venturoso*," parfaitement conforme aux Traités, subsistants entre les deux Pays, ne pouvait pas en admettre les réclamations, et que cette résolution était appuyée sur les mêmes motifs consignés dans la note de son Excellence du 2 Décembre 1828, par rapport au bric "*Heroína*."

Quoique le Soussigné ait eû déjà l'honneur de répondre à cette dernière note, en date du 2 Octobre 1829, il ne peut cependant pas s'abstenir d'y ajouter encore quelques considérations qui lui semblant mettre hors de toute espèce de doute la justice des réclamation qu'il soutient.

D'abord il est expressément déclaré dans l'article 1^{er} de la Convention du 28 Juillet 1817, que l'intention des Hautes Parties Contractantes était seulement de prohiber le commerce d'esclaves dans les ports d'Afrique au nord de l'Equinoxiale. The object of this Convention is, on the part of the two Governments, mutually to prevent their respective subjects from carrying on an illicit slave-trade. Ainsi le Gouvernement Impériale, n'ayant pris l'engagement de défendre à ses sujets toute communication avec le nord de l'Afrique, avait indubitablement le droit d'accorder aux bâtimens Brésiliens, que se destinaient au commerce licite d'esclaves, la permission de toucher dans les ports où les Traités leur interdisaient uniquement le susdit commerce. Cette permission pouvait donc être très légalement insérée dans les passeports respectifs et les bâtimens qui, en seraient munis, n'auraient jamais dû être regardés et punis par cette seule circonstance, comme infracteurs aux Traités.

On voit d'ailleurs mentionnées dans l'Article 5^{me} des Instructions annexées à la même Conventions de 1817, parmi les causes légitimes qui peuvent attirer les navires négriers dans des parages au nord de la Ligne, la pratique

suivre par les Portugais de naviger toujours quelques degrés de ce côté là pour trouver des vents favorables. Or, si une telle dépression leur était permise seulement pour mieux effectuer leur traversées, à plus forte raison encore serait il le comble de l'injustice de confisquer ceux des dits bâtimens, qui battus de tempêtes ou réduits par quelque autre cause inevitable à ne pas pouvoir continuer leurs voyages, auraient cherché de l'abri dans le port le plus prochain.

Afin de mettre des bornes au zèle mal entendu et oppressif, si ordinaire en ceux qui disposent de la force, les Hautes Parties Contractantes ont spécifié en outre dans l'Article 6^{me} de la Convention qui vient d'être citée, le seul cas où les navires négriers seraient jugés saisissables, c'est à dire, quand ils auraient effectivement des esclaves à bord, destinés au trafic illicite. "No British or Portuguese cruizer shall detain any slave-ship not having slaves actually on board, brought there for the express purpose of the traffick, and taken from that part of the Coast of Africa where the slave-trade was prohibited by the Treaty of the 22d of January 1815." Cet Article fait voir bien clairement quelle était la volonté des deux Gouvernemens, et quoique l'Article 1^{er} de la Convention du 15 Mars, 1823, soit venu le modifier, cependant il y a été déclaré qu'aucun bâtiment, n'ayant pas des esclaves à bord destinés à la traite illicite, ne pourrait être detenu que sur la preuve claire et indubitable (clear and undeniable proof) de les avoir débarqué pour se soustraire à la rigueur des Conventions. Si cette preuve manque, la prise est illégale, et la sentence, qui l'adjuge au capteur, devient une contravention manifeste aux Tratiés, qu'il s'agit de maintenir dans toute leur force.

En presence de stipulations aussi positives et solennelles, on ne s'attendrait certainement pas à la condamnation du navire "*Tentadora*," qui, au moment de son arrestation, n'avait pas des esclaves à bord, ni le moindre indice de les avoir débarqué avant d'être visité par le capteur; et seulement, ainsi que l'avoue la sentence respective, parce qu'on lisait dans son passeport la permission de toucher, en cas de besoin, dans des ports situés au nord de la Ligne.

La condamnation de "*Eclipse*" n'est pas moins contraire aux mêmes stipulations. Ce navire, après 25 jours de voyage, se trouvant faire 52 pouces d'eau par heure, et ne pouvant pas aller plus loin, fût forcé de relâcher dans le port d'Ajuda. Tout de cela a été constaté par les papiers de bord, et par d'autres preuves produites devant la Commission Mixte de Sierra Leone; et la sentence reconnaît aussi qu'on n'y a rien rencontré de ce qui, d'après la Convention de 1823, le rendrait saisissable.

"*La Venturoso*," enfin s'est trouvé à peu de chose près dans une situation analogue à celle des deux précédents. Une circonstance cependant demande à être mentionnée: ce navire était à la veille de quitter Badagre, quand il fût visité par le croiseur qui le captura; tout y était prêt pour mettre à la voile, et malgré cela, pas un esclave n'y fût rencontré, pas un seul motif qui put raisonnablement le faire soupçonner d'en avoir eu auparavant.

Quant aux preuves avancées par les Capitaines de ces navires à fin de justifier leurs relâches dans les ports où ils furent capturés, la Commission Mixte les a trouvés toutes frauduleuses, et decelant la plus grande mauvaise foi de la part des mêmes Capitaines. Mais la simple lecture des procès en question porte une conclusion tout à fait différente, dès qu'on y voit toutes les pièces de bord parfaitement d'accord avec les dépositions des équipages sur l'inevitable nécessité des susdites relâches. On ne saurait pas dire que ces preuves sont insuffisantes ou susceptibles d'être révoquées en doute; d'autres n'ont pas été jusqu'à présent exigées par les tribunaux d'aucune nation civilisée pour averer les faits, sur les quels doit être basée la décision de causes maritimes de cette nature.

Les dépositions des équipages, qui sont les seuls temoins de ce qui s'est passé en mer, sont toujours foi dans la verification de la route tenue par les navires respectifs, des hasards qu'ils ont courus, et en général, de toutes les circonstances remarquables de leurs voyages. Jamais le capteur n'est admis à chercher des preuves contraire hors de ces dépositions, et de ce qui ressort des papiers de bord.

Le Soussigné se permettra de citer ici, à l'appui de ce qu'il vient d'exposer, les propres mots de M. Chitty, en parlant de l'évidence requise dans des cas pareils devant le Tribunal de l'Amirauté d'Angleterre (*Law of Commerce*, Vol. 3 page 613.) With respect to the evidence, it is a general rule, that no claim shall be admitted in opposition to the depositions and the ship's papers: The Court of Admiralty is at all times studious to preserve the simplicity of prize proceedings, and therefore, a prayer to admit extraneous evidence on the part of the Captor, to show an illegal course of trade, was refused, there being nothing in the original evidence pointing to such suspicion, because, if remote suggestions were allowed, the practice of the Court would be led away from the simplicity of prize proceedings, and there would be no end to the accumulation of proofs, that would be introduced in order to support arbitrary suggestions.

Rien donc ne pouvant être exigé de plus, afin d'établir la légalité des motifs par lesquels ces bâtimens furent forcés de relâcher dans des ports Africains au nord de la Ligne, et, en même tems, combien ils étaient loin d'y faire la traite, le Soussigné se flatte que le Gouvernement du Roi ne manquera pas de faire droit à la présente réclamation, en accordant enfin aux parties intéressées les indemnités, que leur sont dues pour les pertes énormes qu'elles ont souffert.

Dans cette juste espérance le Soussigné a l'honneur de reiterer, &c.

(Signé)

LE CHEVALIER DE MATTOS.

Son Excellence Monsieur le Comte d'Aberdeen.

&c.

&c.

&c.

(Translation.)

Wimpole-Street, May 17, 1830.

THE Undersigned, Chargé d'Affaires of His Majesty the Emperor of Brazil, has the honour to reply to the note, which his Excellency the Earl of Aberdeen His Britannick Majesty's Principal Secretary of State for Foreign Affairs, was pleased to address to Viscount Itabayana, to acquaint him, that the King's Government, having found the capture and condemnation of the Brazilian vessels "*Tentadora*," "*Eclipse*," and "*Venturoso*," perfectly conformable to the Treaties subsisting between the two Countries, could not admit of reclamation against them, and that this resolution rested on the reasons stated in his Excellency's note of the 2d December 1828, concerning the brig "*Heroína*."

Though the Undersigned has already had the honour to reply to this last note, under date of the 2d October 1829, he cannot refrain from adding a few more observations, which appear to him to place the justice of the reclamations sustained by him beyond all manner of doubt.

In the first place, it is expressly declared, in Article 1 of the Convention of the 28th July 1817, that the intention of the High Contracting Parties was only to prohibit the slave-trade in the Ports of Africa, north of the Line. "The object of this Convention is, on the part of the two Governments, mutually to prevent their respective subjects from carrying on an illicit slave-trade." Thus the Imperial Government, not having engaged to forbid its subjects every communication with the North of Africa, had undoubtedly the right of giving to such Brazilian ships, as devoted themselves to the lawful slave-trade, the permission of touching at the ports, where the Treaties prohibited them only to engage in the said traffick. This permission might, therefore, very lawfully be inserted in the respective passports, and the vessels furnished with them ought not, for that circumstance alone, to have been considered and punished as infringers of the Treaties.

Besides, in the 5th Article of the Instructions annexed to the same Convention of 1817, there is mentioned, among the legitimate causes that may attract negro vessels into latitudes north of the Line, the practice, followed by the Portuguese, of navigating always some degrees beyond it, in order to

meet with favourable winds. Now, if such a digression was permitted them only to facilitate their passages, it would, for a much stronger reason, be the height of injustice to confiscate such of the said vessels, as should, prevented either by stress of weather or some other inevitable cause from prosecuting their voyages, have sought shelter in the nearest port.

To set bounds to the ill-judged and oppressive zeal, so common in those who are armed with force, the High Contracting Parties have further specified, in the 6th Article of the Convention just mentioned, the only case in which negro vessels would be allowed to be taken, that is to say, when they should actually have on board slaves intended for the unlawful trade. "No British or Portuguese cruizer shall detain any slave-ship, not having slaves actually on board, brought there for the express purpose of the traffick, and taken from that part of the Coast of Africa, where the slave-trade was prohibited by the Treaty of the 22d of January 1815." This Article very clearly shews the intention of the two Governments, and though the 1st Article of the Convention of the 15th March 1823 did afterwards modify it, yet it has been declared, that no ship, not having slaves on board destined for the illicit traffick, could be detained, but on clear and indubitable proof of having landed them with the view of escaping the rigour of the Conventions. If this proof be wanting, the capture is unlawful, and the sentence, which adjudges it to the Captor, becomes a manifest contravention of the Treaties, which ought to be maintained in all their force.

In the presence of such positive and solemn Stipulations, it was certainly not expected, that the condemnation of the ship "*Tentadora*" would have taken place, when, at the moment of her detention, she had neither slaves on board, nor bore the least trace of having landed any, prior to being searched by the Captor, and only, as the respective sentence avows, because it was mentioned in her passport, that she should have permission to touch, if there should be occasion, in the ports situated North of the Line.

The condemnation of the "*Eclipse*" is no less contrary to the same Stipulations, it being discovered that this ship, after 25 days' voyage, made 52 inches of water every hour, and could not proceed farther, but was obliged to put into the Port of Ajuda. All this appeared from the ship's papers, and from other proofs produced before the Mixed Commission at Sierra Leone; and the sentence also acknowledged, that nothing had been met with which, agreeably to the Convention of 1823, could have warranted her being detained.

Lastly, the "*Venturoso*" has been found nearly in a similar situation with that of the two preceding. One circumstance, however, requires to be mentioned. This ship, when on the point of sailing from Badagre, was boarded by the cruizer that captured her. Every thing was ready for putting to sea; still, however, not a single slave was found there, nor any thing discovered, which could have reasonably made her suspected of having had any there previously.

As to the proofs advanced by the Captains of these ships, in order to justify their having put into the ports where they were taken, the Mixed Commission has pronounced them all fraudulent, and displaying the most signal bad faith on the part of those Captains. But the mere perusal of the proceedings in question leads to a very different conclusion; when it appears, that all the ship's papers perfectly agree with the depositions of the crews, respecting the necessity of their making for the ports in question. It cannot be alleged, that these proofs are insufficient or liable to be called in question, inasmuch as others have hitherto never been required by the Courts of Justice of any civilized nation, to establish the facts, on which to ground the decision of maritime causes of this nature. The depositions of crews, who are the only witnesses of what has occurred at sea, are always admitted as evidence in ascertaining the course steered by the respective ships, the risks which they have run, and in general the remarkable circumstances of their voyages. The Captor is never admitted to have recourse for contrary proofs to any quarter, other than these depositions, and what can be collected from the ship's papers.

The Undersigned here takes leave to quote, in support of what he has stated, the words of Mr. Chitty, in speaking of the evidence required in similar cases, before the English Court of Admiralty. (Law of Commerce, vol. iii. p. 613) "With respect to the evidence, it is a general rule that no claim shall be admitted in opposition to the depositions and the ship papers. The Court of Admiralty is, at all times, studious to preserve the simplicity of prize proceedings; and, therefore, a prayer to admit extraneous evidence on the part of the Captor, to show an illegal course of trade, was refused, there being nothing in the original evidence pointing to such suspicion; because, if remote suggestions were allowed, the practice of the Court would be led away from the simplicity of the prize proceedings, and there would be no end to the accumulation of proofs, that would be introduced, in order to support arbitrary suggestions."

Since, therefore, nothing further can be required to establish the legality of the motives, by which these ships were forced to touch at the African ports north of the Line, and at the same time how far they were from carrying on the slave-trade there, the Undersigned flatters himself, that the King's Government will not fail to do justice to the present reclamation in granting at last to the parties concerned, such indemnities, as are due to them for the enormous losses which they have suffered.

In this just hope, the Undersigned has the honour, &c. &c.

(Signed) THE CHEVALIER DE MATTOS.

His Excellency the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 17.

The Chevalier de Mattos to the Earl of Aberdeen.—(Received May 19.)

Wimpole-Street, ce 17 Mai, 1830.

LE Soussigné, Chargé d'Affaires de Sa Majesté l'Empereur du Brésil, ayant reçu l'ordre de son Gouvernement pour se plaindre à celui du Roi de l'arbitrariété pratiquée par la frégate Britannique "Sibilla," commandée par le Capitaine F. A. Collier, dans la saisie du navire Brésilien "*Esperança*," et pour réclamer, en faveur des propriétaires de ce navire, l'indemnisation qui leur est due, conformément à l'Article 5 de la Convention du 28 Juillet, 1817, a l'honneur de s'adresser à Son Excellence Monsieur le Comte d'Aberdeen, Principal Secrétaire d'Etat de Sa Majesté Britannique au Département des Affaires Etrangères, pour s'acquitter de ce devoir.

Le bric "*Esperança*" sortit de Bahia pour faire le commerce d'esclaves dans le Port de Cabinda. Au huitième jour de son voyage, il fût poursuivi par un corsair de Buenos Ayres, auquel il ne put se débarrasser qu'après 5 jours de chasse.

Continuant alors vers sa destination, il lui survint une forte tempête dont les résultats furent d'avoir le grand mat cassé, et d'ouvrir une voie d'eau à la proue. Dans cet état il fût forcé de demander le port de Lagos, qui était le plus prochain de l'endroit où il se trouvait, comme il a été pleinement prouvé devant la Commission Mixte de Sierra Leone.

Se trouvant donc en vue de ce port, encore à la voile, le bric "*Esperança*" fût visité par la frégate ci-dessus mentionnée, qui l'ayant jugé en ordre au premier abord, changea d'avis dans peu d'instants, l'arrêta et l'envoya à Sierra Leone, où il fût condamné.

Non seulement le capteur, mais aussi la Commission Mixte de cette Colonie ont avoué qu'un seul esclave ne fût point trouvé à bord de "*l'Esperança*," ni le moindre indice d'en avoir débarqué avant la visite, et la sentence de condamnation est fondée sur ce que le navire était au nord de l'Equinoxiale, à la

hauteur d'un port que n'était pas nommé dans son passeport, et faisant la traite des nègres en contravention des Traités de 1815, 1817, et 1826.

La seule exposition des circonstances dont cette capture fût accompagnée, même sans avoir recours à d'autres arguments, est plus que suffisante pour démontrer combien la conduite du croiseur a été arbitraire et oppressive, et il est difficile de s'imaginer comment la Commission de Sierra Leone a pu la sanctionner. Outre la violation manifeste des Traités, qui autorisent seulement la saisie des navires rencontrés avec des esclaves pris au nord de l'Équinoxiale, ou de ceux qui les auront débarqué à fin de tromper les croiseurs, il est encore à remarquer dans le cas en question l'assertion extravagante de la sentence condamnatoire, d'où il résulte que le navire "*Esperança*" se trouvait engagé à la traite illicite au milieu de l'océan, et qu'il a eû moyen de cacher tellement les nègres pendant la visite, et durant le voyage pour Sierra Leone, que ni le croiseur ni la Commission n'ont jamais été à même de les découvrir.

Quant à l'autre fondement de la sentence, savoir, que le Port de Lagos n'était point nommé dans le passeport du bric "*Esperança*," le Soussigné n'a rien à ajouter à ce qu'il a eu déjà l'honneur de soumettre à la considération de son Excellence dans ses notes du 3 Octobre 1829, et du 17 du mois courant, sur la question des passeports et des relâches forcées dans des ports Africains au nord de la Ligne, et se contentera de citer les susdites notes, à l'appui de celle-ci pour éviter d'inutiles répétitions.

Cependant, il ne peut pas se dispenser d'exprimer combien il regrette de voir l'abus que l'on a fait si souvent, et d'après les circonstances de chacun des navires capturés de la teneur de leurs passeports.

Quelque-fois le Gouvernement Imperial est accusé de permettre, dans ces documens, l'entrée des ports où la traite a été abolie.

Dans d'autres occasions ce sont les bâtimens négriers, qu'on accuse de ne pas avoir obtenu cette permission, et d'une ou d'autre manière la conséquence en est presque toujours la confiscation de ceux des mêmes bâtimens, qui ont le malheur d'être traduits devant la Commission de Sierra Leone.

Le Soussigné pleinement convaincu de l'inutilité de faire des traités, si l'interprétation des obligations qui en résultent, était abandonnée à ceux qui ont le plus grand intérêt à les expliquer en leur faveur, ne peut nullement douter qu'à la vue de cet exposé la présente réclamation ne soit accueillie par le Gouvernement de Sa Majesté Britannique de la manière, que son impartialité et sa justice donnent droit à espérer. Laisant donc à une Commission spéciale la vérification des pertes éprouvées par les propriétaires du bric "*Esperança*," il ne reste à Soussigné qu'à réitérer, &c.

(Signé)

LE CHEV. DE MATROS

Son Excellence le Comte d'Aberdeen,

&c. &c. &c.

(Translation.)

Wimpole-Street, May 18, 1830.

THE Undersigned, &c. having been directed by his Government to complain to that of the King, of the arbitrary manner with which the British frigate "*Sybil*," commanded by Captain F. Collier, proceeded in taking possession of the Brazilian ship "*Esperança*," and to claim in favour of the Owners of that ship, the indemnity due to them, in conformity with Article 5 of the Convention of the 28th of July 1817, has the honour to address himself to his Excellency the Earl of Aberdeen, &c. in compliance with his duty.

The brig "*Esperança*" sailed from Bahia, to pursue the slave-trade in the Port of Cabinda. On the eighth day of her voyage she was chased by

a Buenos Ayres privateer, from which she was unable to disengage herself, till after 5 days' pursuit.

Hereupon, when proceeding to the place of her destination, she was overtaken by a heavy squall, in consequence of which she carried away her main-mast, and sprung a leak in the prow. In this predicament, she was obliged to make for the Port of Lagos, the nearest to the place where she happened to be, as has been fully proved before the Mixed Commission at Sierra Leone.

When the "*Esperança*," therefore, was in sight of that port, and under sail, she was boarded by the above frigate, which, though she thought her at first quite regular, changed her opinion in a few moments, and detained and sent her to Sierra Leone, where she was condemned.

Not only the Captor, but also the Mixed Commission in that colony, have owned, that there was not a single slave found on board the "*Esperança*," nor the least trace of her having landed any before the visit, and the sentence of condemnation was founded on the vessel having been met with to the North of the Equator, off a port not stated in her passport, and carrying on the slave-trade, in contravention of the Treaties of 1813, 1817, and 1826.

The simple statement of the circumstances, under which this capture was made, independently of any other arguments, is more than sufficient to demonstrate, how very arbitrary and oppressive the conduct of the cruiser has been, insomuch that it is difficult to imagine how the Commission at Sierra Leone could sanction it. Over and above the manifest violation of the Treaties, which solely authorise the seizure of ships encountered with slaves on board, obtained to the North of the Line, or of such as shall have landed them in order to deceive the cruisers, there must be further observed in the case alluded to, the extravagant assertion of the condemnatory sentence, whence it would appear that the "*Esperança*" was carrying on the slave-trade out at sea, and that she contrived to conceal the negroes during the search, and during the voyage for Sierra Leone, so that neither the cruiser nor the Commission were ever capable of discovering them.

As to the other ground of the sentence, namely, that the Port of Lagos was not specified in the pass of the brig "*Esperança*," the Undersigned has nothing to add to what he had already had the honour of submitting to the consideration of his Excellency, in his notes of the 3d of October 1829, and of the 17th instant, respecting the question of passports and ports touched at by compulsion on the African Coast, North of the Equator, and will only refer to the above notes in support of the present, for the purpose of avoiding useless repetitions. He can, however, not help expressing how sorry he is to find the frequency of the abuse practised, according to the circumstances of each of the captured vessels, in respect of the tenour of their passports. The Imperial Government is sometimes accused of permitting in the documents the entrance into ports, where the slave-trade has been abolished. On other occasions, it is the negro vessels that are charged with having failed to apply for such permission, and in either case the consequence is almost always the confiscation of the slave-ships, that have the misfortune of being brought before the Commissions of Sierra Leone.

The Undersigned, fully convinced of the inutility of concluding Treaties, if the interpretation of the duties resulting from them were left to those, who are most interested in explaining them in their favour, entertains no doubt whatever, that, in consideration of the above statement, the present reclamation will be received by the Government of His Britannick Majesty in the manner, which its impartiality and justice warrant him to hope for. Leaving, therefore, to a Special Commission the task of ascertaining the damages sustained by the Owners of the brig "*Esperança*," the Undersigned, in conclusion, repeats, &c.

(Signed) THE CHEVALIER DE MATTOS.

His Excellency the Earl of Aberdeen,
&c. &c. &c.

The Chevalier de Mattos to the Earl of Aberdeen.—(Received May 18.)

Wimpole-Street, ce 18 Mai, 1830.

LE Soussigné, &c. fondé sur les Conventions existantes entre le Brésil et la Grande Brétagne, a l'honneur de porter à la connaissance de son Excellence Monsieur le Comte d'Aberdeen, &c. l'attendat commis dans le Port d'Olemby par le bric de guerre Anglais "Clinker," commandé par le Capitaine G. W. Matson, sur le navire Brésilien "*Voador*," dont il se saisit en violation manifeste de l'esprit et de la lettre des susdites Conventions, après avoir tué 13 hommes de son équipage, de la manière que le Soussigné passe à exposer.

Le bric "*Voador*" sortit de Rio de Janeiro le 25 Avril 1828, pour faire le commerce d'esclaves dans le Ports de Cabinda et Zaire au sud de l'Equinoxiale, et rencontrant quelque tems après des bâtimens suspects, que dans le fait étaient des corsaires de Buenos Ayres, il chercha un asyle dans l'Ile de Principe, et y resta deux jours. Au sortir de cette île, les courants contraires et les tempêtes, qu'il eut à essayer, le mirent dans un tel état de detresse, qu'il fût encore forcé de relâcher dans le port plus prochain, qui se trouva être celui d'Olemby. Ici le Capitaine se vit obligé de disposer d'une partie de sa cargaison, afin de subvenir aux dépenses, requises pour les réparations et le ravitaillement du navire. Tout étant remis en ordre, à la veille même de son départ, le 18 Août, il découvrit à quelque distance, venant vers lui, sans aucun signe que put indiquer leur nation, deux chaloupes appartenant à un bric, qui se trouvait dans la baie, et les soupçonnant d'être pirates, il arbora le pavillon Brésilien, en faisant tirer en même tems un coup de canon. Dans ce moment les chaloupes, étant tout près, arborèrent le pavillon Britannique et mirent ainsi un terme aux alarmes du capitaine, qui les reçût avec toute la joie propre d'une personne, qui tantôt craignait de tomber entre les mains de quelque corsaire ou pirate; et se voyait alors sous la protection de la marine d'une nation amie et la première des alliées de l'Empire. Mais au lieu d'éprouver le bienfait de cette protection, le bric "*Voador*" fût victime de la cruauté la plus inattendue. A peine l'Officier Anglais et ses gens furent arrivés sur le pont, un coup de pistolet fût tiré contre le Capitaine Brésilien. Celui-ci se trouvant blessé, et voyant son équipage assailli de toute côté, se défendit courageusement, jusqu'à ce que couvert de blessures, et entouré des cadavres de 13 de ses compagnons, il se jetta à la mer, et perit de cette manière. C'est ainsi que le Capitaine Matson a observé les instructions données aux croiseurs de la côte d'Afrique. Telles ont été les circonstances, qui précédèrent la saisie et l'adjudication du bric "*Voador*."

Le Soussigné s'abstient de faire la moindre remarque sur un fait aussi inoui, et aussi contraire au droit des gens qu'il l'est à tous les principes d'humanité, qui ont toujours noblement caractérisé la valeur des Officiers de la Marine Britannique. Il se bornera donc à prier son Excellence Monsieur le Comte d'Aberdeen de vouloir bien observer, que la sentence, qui condamna le bric en question, ne fait aucun mention des horreurs commises dans sa capture, et qui, si on eut pû le faire au détriment du condamné, on n'aurait pas manqué de s'en prévaloir. D'un autre côté on voit expressément déclaré dans ce même document, qu'il n'y avait pas d'esclaves à bord du "*Voador*," au moment de sa capture, ni le moindre indice, qui pût le faire soupçonner de les avoir débarqué auparavant, "and also that it had been proved, that at the time of passing the said sentence, no slaves were, nor had been, on board during the voyage."

Sur cet exposé le Soussigné réclame du Gouvernement de Sa Majesté Britannique la satisfaction et les indemnités, que l'atrocité et l'illegalité du fait exigent, en conformité des Articles 5 et 6 de la Convention du 28 Juillet 1817, de l'Article 7 des Instructions annexées à la même Convention, et finalement, de l'Article 13 du Règlement de la Commission Mixte de Sierra Leone, dont voici les termes; "In the case of a vessel detained unjustly, under pretence of the stipulations of the Additional Convention of this date, and in which the Captor should neither be authorized by the tenour of the above-

mentioned Convention, nor of the Instructions annexed to it, the Government, to which the detained vessel may belong, shall be entitled to demand reparation, and in such case, the Government, to which the Captor may belong, binds itself to cause the subject of complaint to be fully examined, and to inflict upon the Captor, if he be found to have deserved it, a punishment proportioned to the transgression which may have been committed."

Quant à ce qui régarde l'évaluation des pertes éprouvées par les propriétaires du bric "*Voador*," le Soussigné croit qu'elle doit être laissée aux soins d'une Commission nommée par les deux Gouvernements.

Le Soussigné profite de cette occasion pour renouveler, &c. &c.

(Signed)

LE CHEVALIER DE MATTOS.

Son Excellence M. le Comte d'Aberdeen,

&c.

&c.

&c.

(Translation.)

Wimpole-Street, May 18, 1830.

THE Undersigned, &c. relying upon the Conventions subsisting between Brazil and Great Britain, has the honour to lay before his Excellency the Earl of Aberdeen, &c. the particulars of an outrage committed in the Port of Olemby, by the English brig "*Clinker*," commanded by Captain G. W. Matson, against the Brazilian ship "*Voador*," which he seized, in manifest violation of the spirit and letter of the above Conventions, after killing 13 men of her crew, in the manner about to be stated by the Undersigned.

The "*Voador*" sailed from Rio de Janeiro on the 25th of April, 1828, to traffick in negroes in the Ports of Cabinda and Zaire, south of the Equator, and meeting some time after with suspicious vessels, which in fact were Buenos Ayreau privateers, she sought an asylum in Prince's Island, and remained there 2 days; after quitting that island, the contrary currents and the storms which she had to encounter, reduced her to such a state of distress, that she was once more forced to put into the nearest port, which chanced to be that of Olemby. There the Captain was obliged to dispose of a part of his cargo to meet the expenses required on account of the repairs of, and the fresh supply of provisions for the ship. When every thing was completed, on the very day previous to his departure, the 18th of August, he discovered at some distance, coming towards him, without any sign indicative of their nation, 2 boats belonging to a brig in the bay, and as he suspected them to be pirates, he hoisted Brazilian colours, and, at the same time, fired a gun. At that moment the boats, being very near, hoisted the British flag, and thus put an end to the alarm of the Captain, who received them with all the joy natural for a person, who had just before been afraid of falling into the hands of some privateer or pirate, and then found himself under the protection of the navy of a friendly nation, the principal of those allied to the empire. But instead of reaping the benefit of this protection, the "*Voador*" became a victim of the most sanguinary and most unexpected cruelty. The English Officer and his men had scarcely set foot on deck, when a pistol shot was fired at the Brazilian Captain. The latter finding himself wounded, and seeing his crew assailed in every quarter, defended himself courageously, till covered with wounds and surrounded with the dead bodies of 13 of his companions, he threw himself into the sea, and thus perished. In this manner it was that Captain Matson observed the Instructions given to those who cruize on the Coast of Africa. Such are the circumstances which preceded the seizure and adjudication of the "*Voador*."

The Undersigned refrains from any remark upon an occurrence as unheard of, and as contrary to the law of nations, as it is to all the principles of humanity, which have always so nobly characterized the Officers of the British navy. He only begs his Excellency the Earl of Aberdeen to be pleased to observe, that the sentence, which condemned the brig in question, makes no

mention whatever of the horrors committed in her capture, of which mention the sentence would certainly have availed itself, if it could have been done to the prejudice of the party condemned. On the other hand, it is expressly declared in the same document, that there was not a single slave on board the "*Voador*" at the time of her capture, nor the least sign, which could have led to the suspicion of any having been landed previously, "and also that it had been proved, that, at the time of passing the said sentence, no slaves were, nor had been, on board during the voyage."

In reference to this statement, the Undersigned demands, from the Government of His Britannick Majesty, such satisfaction and such indemnities as the atrocity and the illegality of the act require, according to Article 5 and 6 of the Convention of the 28th July, 1817; to Article 7 of the Instructions annexed to that Convention, and, finally, to Article 13 of the Regulations of the Mixed Commission of Sierra Leone, which latter runs thus:—"In the case of a vessel detained unjustly, under pretence of the stipulations of the Additional Convention of this date, and in which the Captor should neither be authorized by the tenour of the above-mentioned Convention, nor the Instructions, the Government, to which the detained vessel may belong, shall be entitled to demand reparation; and in such case the Government, to which the Captor may belong, binds itself to cause the subject of complaint to be fully examined, and to inflict upon the Captor, if he be found to have deserved it, a punishment, proportioned to the transgression which may have been committed."

As to the valuation of the losses sustained by the Owners of the "*Voador*," the Undersigned is of opinion, that it ought to be left to a Commission appointed by both Governments.

The Undersigned avails himself, &c.

(Signed) THE CHEVALIER DE MATTOS.

His Excellency Lord Aberdeen,
 &c. &c. &c.

No. 19.

The Chevalier de Mattos to the Earl of Aberdeen.—(Received May 19.)

Wimpole-Street, ce 18 Mai, 1830.

LE Soussigné &c. a l'honneur de s'adresser à son Excellence Monsieur le Comte d'Aberdeen, &c. afin de réclamer, en faveur des propriétaires du navire Brésilien "*Vencedora*," illégalement saisi dans le Port d'Ajuda par la frégate Britannique "*Eden*," commandée par le Capitaine W. F. W. Owen, la juste indemnisation que leur est due, en conformité des Traités, qui prohibèrent le trafic des nègres dans les Ports d'Afrique, au nord de l'Equinoxiale.

Cette capture n'ayant point été trouvée légale par la Commission de Sierra Leone, le Soussigné se bornera donc à contester uniquement la partie de la sentence, respective à la compensation des pertes éprouvées par les propriétaires du navire "*Vencedora*," en conséquence du procédé arbitraire du capteur; et pour le faire d'une manière claire et convenable, il se permettra d'abord d'exposer les circonstances dans lesquelles ce bâtiment se trouvait, et la manière dont il a été arrêté et conduit à Sierra Leone.

N'étant point destiné à la traite des nègres, mais au commerce d'huile, de draps, d'ivoire et autres Articles de la Côte d'Afrique, ce navire entra dans le Port d'Ajuda, et après y avoir débarqué une partie de sa cargaison et commencé son négoce, il fut visité et pris par la frégate de Sa Majesté Britannique ci-dessus mentionnée. Ce qui se trouvait déjà à terre de sa cargaison, une partie de son équipage, le pilote compris, enfin tout fut abandonné aux gens du pays, et le navire conduit à l'Île de Fernando Po, où il resta dix-huit jours au

service particulier de la dite frégate, contre la disposition expresse de l'Article premier des Instructions annexées à la Convention de 1817.

En conséquence du service, dans lequel il fût employé à l'Île de Fernando Po et de l'accident qui lui arrivait au sortir de cette île, en touchant un rocher, le "*Vencedora*" vint à faire un voie d'eau de plus de 30 pouces par heure, tandis que précédemment il n'en faisait pas au delà de 5 à 6 pouces-circonstances qui ont été prouvées par le serment du Capitaine et de l'équipage de ce navire. Au surplus, les vivres, qui se trouvaient à bord, en furent tirés pour l'usage de la frégate, et le restant de sa cargaison de tabac en fût entièrement détruit et perdu.

Dans cet état le "*Vencedora*" arriva à Sierra Leone, où la capture fût jugée arbitraire; et la Commission Mixte, tout en reconnaissant la nécessité de dédommager les parties intéressées des immenses pertes occasionnées par une détention aussi illégale, leur accorda seulement £36. 9s. pour frais de procès £185. 15s. à titre d'indemnisation, et £62. 10s. pour le fret de 260 rouleaux de tabac, déclarant en outre, quant aux staries (demurrages) qu'elles ne leur étaient pas dues, parceque le capteur avait été induit en erreur par la faute volontaire et repréhensible du capturé, sans toute fois expliquer, pas plus que ne le font le procès et les dépositions des témoins, en quoi consistait cette faute, ou de qu'elle manière le capteur avait été induit en erreur.

Si ce principe était une fois admis, il n'y aurait pas de détention, même la plus illégale, qui ne pût être excusée par quelque faute attribuable au capturé.

La décision de la Commission est apparemment fondée sur le sec. 7 de l'Article 8^{me} de son Règlement. Mais outre que cette disposition se réfère expressément et très clairement aux navires destinés au trafic des nègres, et non pas à ceux qui n'ayant aucun rapport à pareil trafic, ne fournissaient point le moindre sujet de doute sur la légalité de leurs voyages, il est encore à remarquer, que d'après le même Article, la sentence devait être passée sans le concours d'un Commissaire d'arbitrage, "without having recourse to the decision of a Commissioner of Arbitration." Ce qui n'a pas été le cas dans le jugement en question, qui contient la phrase suivante, "the Commissary Judge and Commissioner of Arbitration having heard the same claim."

Sur cette simple exposition et en vertu de l'Article 5^{me} de la Convention du 28 Juillet, 1817, et de l'Article 8^{me} du Règlement annexé à la même Convention, le Soussigné ose espérer de la rectitude du Gouvernement de Sa Majesté Britannique que justice sera faite à la présente réclamation, et que les propriétaires du navire "*Vencedora*" obtiendront une indemnisation équivalente aux pertes qu'ils ont éprouvées, non seulement par la conduite arbitraire du Capitaine Owen, en detenant leur bâtiment sans y trouver le plus léger indice de prétendre faire le trafic illicite, ou de l'avoir jamais fait; mais aussi par sa négligence coupable en abandonnant une partie de la cargaison et de l'équipage qui se trouvait à terre, et en ne pas conduisant la prise de suite au lieu, où on devait prendre connoissance de la légalité de son voyage.

Le Soussigné n'entre pas à présent dans le détail de ces pertes, parcequ'il trouve plus convenable que leur évaluation soit faite par une Commission, nommée conjointement par les deux Gouvernements.

Le Soussigné reiterra, &c. &c.

(Signé)

LE CHEV. DE MATTOS.

Son Excellence M. le Comte d'Aberdeen,
&c. &c. &c.

(Translation.)

Wimpole-Street, May 18, 1830.

THE Undersigned, &c. has the honour to address himself to his Excellency the Earl of Aberdeen, &c. in order to claim, on behalf of the Owners of the Brazilian vessel the "*Vencedora*," which was illegally seized in the Port of Ajuda, by the "*Eden*," British frigate, commanded by Captain W. Fitzwilliam Owen, such a fair indemnity as is due to them by virtue of the

Treaties prohibiting the slave-trade in the African ports, situated north of the Equator.

This capture having been declared illegal by the Commission at Sierra Leone, the Undersigned only disputes that portion of the sentence, which relates to the compensation to be given for the losses suffered by the Owners of the "*Vencedora*," in consequence of the arbitrary proceeding of the Captor, and in order to do so, in a clear and proper manner, he takes leave, first, to state the circumstances in which this vessel was placed, and how she was stopt and conducted to Sierra Leone.

Not having been intended for the slave-trade, but for the traffick in oil, cloth, ivory, and other articles of the Coast of Africa, this vessel put into the Port of Ajuda, and after having landed there a part of her cargo, and begun business, she was boarded, and taken by His Britannick Majesty's frigate above-mentioned. The portion of her cargo already landed, some of her crew, inclusive of the pilot, in short every thing was left at the mercy of the inhabitants of the country, and the vessel carried to the Isle of Fernando Po, where she was for 18 days employed in the private service of the frigate alluded to, contrary to the express provision of the 1st Article of the Instructions annexed to the Convention of 1817.

In consequence of the service in which she was engaged at the Isle of Fernando Po, and owing to the accident she met with, on quitting that island, in striking against a rock, the "*Vencedora*" sprung a leak which let in upwards of 30 inches of water every hour, whereas previously she made no more than from 5 to 6 inches, which circumstances have been proved on oath by the Captain and crew of this vessel. Besides, the provisions on board were transferred from thence for the use of the frigate, and what remained of her cargo of tobacco was entirely destroyed and lost.

In this state the "*Vencedora*" arrived at Sierra Leone, where the capture was declared to be arbitrary; and the Mixed Commission, though acknowledging the necessity of indemnifying the parties interested for the immense losses occasioned by so illegal a detention, awarded them only £36. 9s. for costs of proceedings, £185. 13s. by way of indemnity, and £62. 10s. freight for 260 rolls of tobacco; declaring also, that as to demurrage, it was not due to them, because the Captor had been led into error by the voluntary and reprehensible fault of the party captured, without, however, explaining, any more than is done by the proceedings and the depositions of witnesses, wherein that fault consisted, or how the Captor had been led into error.

If this principle were once admitted, there would be no detention, however unlawful, but what could be exculpated by imputing some fault to the captured.

The decision of the Commission apparently rests on section 7 of Article 8 of its Regulations. But laying out of view that that provision relates expressly and distinctly to vessels destined for the slave-trade, and not to those which, having no connexion with that traffick, do not afford the least occasion for doubt respecting the legality of their voyages; it is also observable, that, according to the Article in question, the sentence was to have been pronounced "without having recourse to the decision of a Commissioner of Arbitration," which was not the case of the judgment referred to, in which occurs the following paragraph "the Commissary Judge and Commissioner of Arbitration having heard the same claim."

On this simple statement, and in virtue of Article 5 of the Convention of the 28th July 1817, and of Article 8 of the Regulations annexed to that Convention, the Undersigned ventures to hope of the rectitude of the Government of His Britannick Majesty, that justice will be done to the present claim, and that the Owners of the "*Vencedora*" will obtain an indemnity equivalent to the losses they have sustained, not only by the arbitrary conduct of Captain Owen, in detaining their vessel, without finding on board of her any the least sign of an intention to carry on the illicit traffick, or of ever having carried it on, but also by his culpable negligence in abandoning part of the cargo and of the crew that were on shore, and in not conducting the prize immediately to the place, where cognizance was to be taken of the legality of her voyage.

The Undersigned does not at present enter into the particulars of these losses, because he is of opinion, that it will be more proper to have them valued by a Commission, appointed with the concurrence of both Governments.

The Undersigned repeats, &c.

(Signed)

THE CHEVALIER DE MATTOS.

His Excellency the Earl of Aberdeen,
&c. &c. &c.

No. 20.

A. Aston, Esq. to the Earl of Aberdeen.—(Received June 14.)

MY LORD,

Rio de Janeiro, March 27, 1830.

WITH reference to your Lordship's despatch, marked slave-trade, of the 7th of December last, in which mention is made of a report having reached England, of its being the intention of the Brazilian merchants to bring negroes from the Coast of Africa, after the period stipulated by the Treaty for the abolition of the Brazilian slave-trade, on the plea of the blacks being colonists or servants; I have the honour to inform your Lordship, that, having ascertained that there existed grounds for believing that such a project had been seriously entertained, I took an early opportunity of communicating the sentiments of His Majesty's Government upon this subject to the Brazilian Minister.

His Excellency denied any knowledge of such an intention on the part of His Imperial Majesty's subjects, nor did he believe there was any foundation for the report; but his Excellency assured me, that he would cause enquiry to be made; and as such a plan, supposing it even were permitted by Treaty, must previously obtain the concurrence of the Imperial Government, any attempt to carry it into execution would consequently be frustrated.

I mentioned to Mr. de Calmon, that another report was in circulation, tending to excite suspicions of the intentions of the Brazilian merchants. It related to a project, supposed to be in contemplation, for fitting out armed vessels, ostensibly for the purpose of trading in produce, but, in reality, in the hopes of being enabled to carry on more securely a contraband traffick in slaves; and I called his Excellency's attention to a circumstance which had recently come to my knowledge, of a vessel having left this port of Rio de Janeiro, bound to the Coast of Africa, mounting 12 guns, and with a crew of 120 men.

The Brazilian Minister, in reply, stated, that the Imperial Government were aware, that many absurd projects were entertained by the merchants interested in the slave-trade; that orders had, however, been dispatched not only to the principal ports of the Empire, but likewise to those where no Custom-houses were established, directing the Authorities to exert their utmost vigilance, and he, therefore, trusted, that, by these precautionary measures, any attempt to evade the stipulations of the Treaty would be timely prevented:

I have, &c.

(Signed)

ARTHUR ASTON.

The Right Hon the Earl of Aberdeen, K.T.
&c. &c. &c.

No. 21.

A. Aston, Esq. to the Earl of Aberdeen.—(Received June 14.)

MY LORD,

Rio de Janeiro, March 27, 1830.

I HAVE the honour to forward to your Lordship the copy of a note, which I have addressed to the Brazilian Minister, respecting certain vessels at Bahia, which, after having been furnished with passports for a licit slave-trade to the Coast of Africa, have, nevertheless, not yet left that port. As this circumstance, joined to the fact of some other Brazilian ships having sailed for the

same destination, their original names having been changed, afforded strong ground for believing that some illicit transaction, connected with the slave-trade, was in contemplation, I conceived it right to demand a strict investigation of the matter.

His Excellency, in his answer, a copy of which is likewise enclosed, states, that orders to that effect have been issued to the Authorities at Bahia, with directions, also, to prevent the fitting out of ships, whose object may be suspected to be the prosecution of the slave-trade.

I have also forwarded to Rear-Admiral Baker lists of the names of these vessels.

I have, &c.

(Signed)

ARTHUR ASTON.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

First Enclosure in No. 21.

A. Aston, Esq. to Señor Calmon.

Rio, March 3, 1830.

INFORMATION having been received by the Undersigned, &c. from Bahia, respecting certain vessels, which, after having obtained passports for a licit trade to the Coast of Africa, have, nevertheless, not left that port, and circumstances having transpired which afford strong ground for suspicion, that these passports have been procured for illegal purposes, connected with the African slave-trade, it becomes the duty of the Undersigned to call the attention of the Imperial Government to the subject.

The singularity of the fact of these vessels, (amounting to 28 in number) remaining in harbour many months, after having been cleared out ostensibly for the purpose of trading in produce to the Coast of Africa, induced His Majesty's Consul at Bahia to represent the case to the President; but it appears, however, that his Excellency has not been able to give any satisfactory explanation.

From the enclosed list it will be seen, that some of the above vessels received passports so far back as the 28th of last July, whilst 2, the schooner "*Gallega*" and brig "*Furão*," have obtained the requisite permission so late as the 28th November, and 12th December 1829, and consequently, subsequent to the period fixed by the Imperial Decree for the issuing of passports.

It is well known to have been long the practice of the Brazilian merchants, engaged in the slave-trade at Bahia, to procure 2 passports for every vessel sent to the Coast of Africa, one containing a licence to traffick in slaves, designating the real name of the ship, and the other purporting to trade in produce only, but under another name; and there are sufficient reasons for believing, that the passports for the 28 vessels, mentioned in this note, have been obtained under similar false pretexts, and with fraudulent intentions.

In corroboration of the above statement, the Undersigned begs leave to enclose a list of ships which have lately left Bahia, their original names having been changed.

It has been stated by the Intendant of Marine, and the Chief Officer of the Customs at Bahia, that the 28 vessels detained in port had been properly examined and duly licensed; but these assurances ought rather to be considered as additional motives for a strict investigation on the part of the Imperial Government, than as affording a satisfactory elucidation of the suspicious circumstances attached to them.

The Undersigned has, therefore, to request, that his Excellency Señor M. Calmon du Pin e Almeida, &c. will be pleased to cause the necessary steps to be forthwith taken, to bring the facts, detailed in this note, under a due course of investigation, in order that any fraudulent attempt to carry on an illicit commerce in slaves may be frustrated, and the bad consequences, which must necessarily ensue therefrom, be timely averted.

The Undersigned, &c.

The Señor Calmon du Pin e Almeida, (Signed)

ARTHUR ASTON.

&c.

&c.

&c.

First Enclosure (A.) in No. 21.

List of Vessels which have not yet sailed from Bahia, although having obtained Passports for a licit Trade to Africa.

Date of Despatch.	Description.	Name of Vessel.	Name of Master.
1829.			
July 18	Schooner -	Bom Fim -	Joao Fcº. dos Santos.
" 18	Brig -	Leal Portueuse -	Fcº. Theodoro.
" 18	Schooner -	Maria Rosa -	Isidoro Mansel.
" 22	Barque -	Felicidade -	Jozé Barboza Nunes.
" 24	Schooner -	Providencia -	Joao da Silveira de Villas-boas.
" 30	Ditto -	Carlota -	Jozé Fcº. Cameirao.
" 31	Brig -	Africano -	Manl. Ant. Neto.
August 11	Ship -	Felicidade -	Jacinto Pereira Carnero.
" 12	Schooner -	Barbosa -	Jozé Claudio dos Santos.
" 12	Ditto -	Aurelia -	Ignacio Manl. d'Iliveira.
" 18	Brig -	Agua -	Antº. Viciza Velasco.
September 5	Schooner -	Francisca -	Honorio Machado de Moreira.
" 5	Ditto -	Trahira -	Manuel Pera. dos Santos.
" 19	Ditto -	Carolina -	Joso dos Santos.
October 1	Ditto -	Providencia -	Jozé dos Reyes.
" 8	Ditto -	Amazona -	Joaquim Luiz da Cruz.
" 10	Ditto -	Nova Providencia -	Lourenço Fcº. Alcinco.
" 20	Ditto -	Maria Thereza 2da. -	Jozé Rebello.
" 21	Ditto -	Independencia -	Fcº. Lopes
" 30	Brig Schooner -	Triumpho -	Simao Jozé Pereira.
November 3	Patask -	Feliz -	Bernardo Jozé.
" 6	Schooner -	Heroína -	Jozé Maria dos Santos.
" 13	Ditto -	Victoria -	Sebastiao Teixeira Cavalro.
" 28	Ditto -	Galega -	Jozé Martins.
December 12	Brig -	Furao -	Fcº. Theodoro Arraia.

Bahia, January 7, 1830.

First Enclosure (B.) in No. 21.

List of Vessels which have left the Port of Bahia, their original names having been changed.

DESCRIPTION OF VESSEL.	ORIGINAL NAMES.	LEFT BAHIA UNDER FOLLOWING NAMES.
	No.	
Brig	Fortuna..... 422	Esperança.
Schooner	St. Antonio 431	Rosalia.
Ditto	Providencia 585	Deligencia.
Ditto	Leal Portueuse.... 450	Furao.
Ditto	Maria Rosa 451	Bahiana.

Second Enclosure in No. 21.

(Translation.)

Señor Calmon to A. Aston, Esq.

Rio, March 6, 1830.

THE Undersigned, &c. acknowledges the receipt of the note, which Mr. A. Aston, &c. addressed to him on the 3d instant, in which he represents

that certain merchants of the Town of Bahia having obtained passports for their vessels, with the intention of proceeding to the Coast of Africa, to carry on a licit commerce, the same vessels, nevertheless, still remain at anchor in the above port, and it is suspected that these are to be employed in the slave-trade, which is now prohibited.

The Undersigned can assure Mr. Aston, that the Imperial Government, equally interested with that of His Britannick Majesty in the fulfilment of their agreements, has issued orders to the President of the Province of Bahia, that, after having instituted an examination of the facts mentioned by Mr. Aston, and given a detailed account of the result, he shall forthwith put a stop to the fitting out of vessels whose object may be suspected to be the traffick in slaves.

The Undersigned, &c.

(Signed)

MIGUEL CALMON DU PIN E ALMEIDA.

Arthur Aston, Esq.

&c. &c. &c.

No. 22.

A. Aston Esq. to the Earl of Aberdeen.—(Received July 6.)

MY LORD,

Rio de Janeiro, May 5, 1830.

I HAVE the honour to forward to your Lordship the translation of a despatch, which has been addressed by the Brazilian Minister for Foreign Affairs to the President of the Province of Bahia, in consequence of my representation to his Excellency (enclosed in my despatch of the 27th of March) respecting certain vessels at Bahia, whose detention in that port, after having obtained passports to trade in produce to the Coast of Africa, had afforded grounds for suspicion, that these passports had been fraudulently obtained for purposes connected with the slave-trade.

The Brazilian Minister enjoins enquiries to be made into the facts stated in my note, and directs the President to prevent the further fitting out of vessels, whose object may be suspected to be the prosecution of that traffick.

I have the honour, &c.

(Signed)

ARTHUR ASTON.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 22.

(Translation.)

Señor Calmon to the President of Bahia.

Palace of Rio de Janeiro, March 15, 1830.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

THE Chargé d'Affaires of His Britannick Majesty having represented, that certain merchants of that city * having obtained passports for their vessels, for the purpose of carrying on a licit trade to the Coast of Africa, those same vessels have remained a considerable time at anchor in that harbour; and that he suspected they were employed in the slave-trade (as appears in a more detailed manner in the translation of the note herewith enclosed); His Majesty the Emperor has determined, that your Excellency should immediately proceed, by legal measures, to the examination of the facts therein set forth, and that you should make a circumstantial report to the Imperial Government of the result of this affair, which, from its importance, deserves all your Excellency's zeal.

* Bahia.

His Majesty the Emperor also commands, that your Excellency should forthwith take those measures, which you may conceive most efficacious, to put a stop to the fitting out of vessels, whose destination may reasonably be suspected to be the traffick in slaves, contrary to the Treaty by which it is put an end to ; for His Imperial Majesty would sooner prefer preventing than lamenting those losses, to which the thirst of so immoderate, as well as illicit and immoral gains, may expose some of his subjects.

God preserve your Excellency.

(Signed) MIGUEL CALMON DU PIN E ALMEIDA.

His Excellency the President of the Province of Bahia,
 &c. &c. &c

No. 23.

The Chevalier de Mattos to the Earl of Aberdeen.—(Received Sept. 6.)

Wimpole-Street, ce 4 Septembre, 1830.

CHARGE de réclamer du Gouvernement de Sa Majesté Britannique l'indemnisation des pertes éprouvés par le propriétaire du bric Brésilien, "*Dez de Fevreiro*," illégalement capturé par un des croiseurs Britanniques, sur la Côte d'Afrique, le Soussigné a l'honneur de s'adresser à son Excellence Monsieur le Comte d'Aberdeen, pour s'acquitter de ce devoir.

Le bric en question partit de Bahia, pour la Côte d'Afrique, le 19 Novembre, 1821, destiné au commerce d'or, d'ivoire, de draps, et d'huile, et se trouvait dans le Port d'Apam, occupé de l'objet de son voyage, sans le moindre intention d'acheter des nègres, lorsque le 28 Mars 1822 il y fût pris par la frégate Britannique "*Iphigenia*" sous les ordres de Sir Robert Mends, qui le conduisit à Sierra Leone, où la Commission Mixte, malgré la circonstance prouvée, et admise par le capteur même, qu'un seul esclave destiné à la traite n'avait point été trouvé à bord au moment de sa capture, toute fois la condamner sur la simple déposition d'un esclave, appartenant à son équipage, lequel par ce moyen voulut obtenir sa liberté.

Les actes arbitraires pratiqués par les croiseurs Britanniques sur la Côte d'Afrique ont été si frequens et le Soussigné s'est en conséquence trouvé si souvent dans la nécessité de citer à son Excellence Monsieur le Comte d'Aberdeen les Articles des Traités, qui défendent expressement la detention de tout navire à bord duquel il ne se trouverait pas d'esclaves acquies par un trafic illicite, qu'il paraît inutile de repeter l'énumération de ces Articles. Le Soussigné se bornera donc à observer que le bric "*Dez de Fevreiro*," ne peut pas être compris dans les dispositions de la Convention du 15 Mars 1823, attendu que sa capture a eû lieu antérieurement à la ratification de la dite Convention, qui amplifia et interpreta celle du 28 Juillet 1817.

Quant au procédé de la Commission Mixte de Sierra Leone, en admettant la déposition d'un esclave comme seule evidence contre son propre maître, et en fondant sa sentence sur une telle déposition, le Soussigné ne croit nécessaire de rein ajouter à la simple exposition de ce fait, pour en demontre sa reprehensible irregularité dès qu'il n'y a pas de crime dont un esclave ne soit capable d'accuser son maître, lorsque sa propre liberté en depend.

Le Soussigné hein sur de la justice qui caracterise le Gouvernement de Sa Majesté Britannique, se flatte du parfait succès de cette réclamation, et à l'honneur de reitérer, &c.

(Signé) LE CHEVALIER DE MATTOS.

Son Excellence M. le Comte d'Aberdeen,
 &c. &c. &c.

Translation.

Wimpole-Street, September 4, 1830.

BEING instructed to claim from the Government of His Britannick Majesty, an indemnity for the losses sustained by the Owner of the Brazilian brig "*Dez de Fevereiro*," which was unlawfully captured by one of the British cruizers on the Coast of Africa, the Undersigned has the honour of addressing himself to his Excellency the Earl of Aberdeen, in compliance with this duty.

The above brig sailed from Bahia for the Coast of Africa, on the 19th November 1821, with the view of trading in gold, ivory, cloth, and oil, and was in the Port of Apam engaged in the object of her voyage, without the least intention of buying negroes, when, on the 28th March 1822, she was there taken by the British frigate, the "*Iphigenia*," commanded by Sir Robert Mends, who carried her to Sierra Leone, where the Mixed Commission, notwithstanding that it was proved, and admitted by the Captor himself, that not a single slave designed for the trade, had been found on board at the moment of her capture, condemned her on the simple deposition of a slave among her crew, who by that means sought to obtain his liberty.

The arbitrary acts committed by the British cruizers on the Coast of Africa, have been so frequent, and the Undersigned has in consequence been so often under the necessity of quoting to his Excellency the Earl of Aberdeen, the Articles of the Treaties, which prohibit expressly the detention of any vessel not having on board slaves acquired by an illicit traffick, that it would be useless again to enumerate those Articles. The Undersigned, therefore, has only to observe, that the brig "*Dez de Fevereiro*," does not come within the provisions of the Convention of the 15th March 1823, inasmuch as her capture took place previous to the ratification of that Convention, which extended and explained that of the 28th July 1817.

As to the procedure of the Mixed Commission at Sierra Leone, which admitted the deposition of a slave, as sole witness against his own master, and which grounded its sentence upon such a deposition, the Undersigned does not deem it necessary to add any thing to the mere statement of the fact, in order to point out its censurable irregularity, as there is no crime of which a slave is not capable of accusing his master, when his own liberty is at stake.

The Undersigned, fully persuaded of the justice which characterizes the Government of His Britannick Majesty, flatters himself with the perfect success of the present reclamation, and has the honour to repeat, &c. &c.

(Signed) THE CHEVALIER DE MATTOS.

His Excellency the Earl of Aberdeen,
 &c. &c. &c.

No. 24.

The Chevalier de Mattos to the Earl of Aberdeen.—(Received September 6.)

Wimpole-Street, ce Septembre 4, 1830.

LE Soussigné, &c. a l'honneur, de s'adresser à son Excellence M. le Comte d'Aberdeen, &c., en faveur des propriétaires du navire Brésilien "*Joao Voador*," illégalement saisi par le Capitaine W. Fitzwilliam Owen, commandant de la frégate Britannique "*Eden*."

Le susdit navire partit de Bahia pour la Côte d'Afrique, destiné à y faire le commerce d'huile, de draps, d'ivoire, et autres articles du pays. Après avoir terminé son négoce dans les Ports d'Ajuda et Popo, manquant de vivres, et ne pouvant en obtenir dans aucun de ces ports, il se dirigeait vers celui d'Aquitar, quand il fût rencontré, et visité par le bateau à vapeur "*Africana*" que le conduisit à l'Île de Fernando Po, où se trouvait la frégate ci-dessous mentionnée.

Le Capitaine Owen prit alors possession du navire Brésilien, contre toutes les stipulations des Traités existantes, et par un autre acte d'arbitraicté aussi révoltant que le premier il en dispersa l'équipage, le faisant remplacer par

quelques personnes de sa frégate, et dans cet état l'envoya à Sierra Leone, où il mouilla le 26 Décembre 1827.

La Commission Mixte de cette colonie, après avoir jugé la prise illégale, et tout en reconnaissant qu'il fallait dédommager les parties intéressées des immenses pertes, occasionées par une détention si arbitraire, leur accorda uniquement £21. pour frais de procès; et £27. 5s. 5½d. à titre d'indemnisation.

Le cas de ce navire étant donc essentiellement le même que celui du "*Vencedora*," exposé dans la note du Soussigné du 18 Mai dernier, il se bornera aussi à contester la partie de jugement, que se rapporte à la compensation des pertes respectives; et pour ne pas répéter les argumens déjà produits à l'égard du premier, et qui sont tout à fait applicables au cas en question, il se contentera de citer la note mentionnée à l'appui de la présente réclamation.

Une circonstance, cependant, demandée à y être ajoutée. Le "*S. Joao Voador*," de son arrivée à Popo, fût visité par le Commodore F. A. Collier, commandant la frégate Britannique "*Sibylle*." Tous ses papiers de bord, ainsi que son arrangement intérieur, ayant subi le plus rigoureux examen de la part de ce croiseur, ne fournirent pas alors le plus léger motif pour son appréhension, et il lui fût permis de continuer librement l'échange de sa cargaison pour les denrées du pays. Quelque tems après un autre croiseur le visite et le saisit. La sentence dit, que celui-ci avait été induit en erreur par la faute volontaire et répréhensible du capturé. Mais si le Commodore Collier n'avait pas pu être induit en pareille erreur, comment est il possible de s'imaginer que le Capitaine Owen le fût, en présence de preuves telles que la disposition intérieure du navire, la cargaison qu'il avait déjà à bord, les papiers qui constataient la nécessité où il se trouvait d'aller prendre des vivres dans le port le plus prochain, et finalement, la circonstance d'avoir été auparavant visité et trouvé en règle d'après les mêmes instructions, dont bientôt après on s'est prévalu pour l'arrêter? Cette faute donc ni devant être attribuable qu'au seul capteur, le Soussigné espère, que le Gouvernement du Roi n'hésitera pas à accorder aux propriétaires du navire "*S. Joao Voador*" une indemnisation équivalente aux pertes qu'ils ont éprouvé et dont l'évaluation peut être laissée aux soins d'une Commission Spéciale, nommée à cet effet par les deux Gouvernemens.

Le Soussigné profite, &c.

(Signé) LE CHEVALIER DE MATTOS.

Son Excellence M. le Comte d'Aberdeen,
&c. &c. &c.

(Translation.)

Wimpole-Street, September 4, 1830.

THE Undersigned, &c. has the honour to address himself to his Excellency the Earl of Aberdeen, &c. on behalf of the Owners of the Brazilian vessel "*St. Joao Voador*," illegally detained by Captain W. Fitzwilliam Owen, commander of the British frigate "*Eden*."

The above vessel sailed from Bahia for the Coast of Africa, on purpose to trade there in oil, cloth, ivory, and other articles of the country. After having concluded her transactions in the Ports of Ajuda and Popo, and not being able to procure, in either of those ports, a supply of provisions, which she wanted, she made for that of Aquitar, when she was met and boarded by the "*African*" steam-vessel, which conducted her to the Isle of Fernando Po, where the above frigate happened to be. Captain Owen took immediately possession of the Brazilian vessel, against every stipulation of subsisting Treaties, and by another arbitrary act, as revolting as the first, turned off her crew, which he ordered to be replaced by some persons of his frigate, and in this state he sent her to Sierra Leone, where she cast anchor the 26th. December 1827.

The Mixed Commission of that colony adjudged the prize to be illegal, but, though aware of the necessity of indemnifying the parties interested for the

immense losses occasioned by such an arbitrary detention, awarded them only £21. for costs of suit, and £27. 5s. 5½d. as indemnity.

The case of this vessel being, therefore, essentially the same as that of the "*Vencedora*," stated in the note of the Undersigned, dated the 18th May last, he will only call in question so much of the sentence, as relates to the compensation for the respective losses; and in order not to repeat the arguments already adduced, with regard to the former, and which are quite applicable to the case under consideration, he deems it sufficient, for the support of the present reclamation, to refer to the above note.

Yet there is one circumstance, which requires to be added thereto. The "*St. Joao Voador*," on her arrival at Popo, was visited by Commodore F. A. Collier, Commander of the British frigate "*Sibylle*." All her ship's papers, as well as her interior arrangement, having undergone the most rigorous examination from that Captain, afforded not the least motive for her seizure, and she was allowed to continue without interruption the exchange of her cargo for the produce of the country. Some time after, the Captain of another cruizer comes on board of, and seizes her. The sentence purports, that the latter had been led into error by the spontaneous and reprehensible fault of the captured. But, if Commodore Collier could not be led into a similar error, how can it possibly be imagined that Captain Owen was so, in the presence of such proofs as the accommodations of the vessel, the cargo which she had already on board, the papers which bore testimony to her being necessitated to go in quest of provisions into the nearest port, and finally, the circumstance of having been before examined, and found in order, according to the same instructions that were afterwards appealed to for the purpose of detaining her? Since then this fault cannot be ascribed to any one but the Captor alone, the Undersigned hopes that the King's Government will not hesitate to allow, to the Owners of the "*St. Joao Voador*," an indemnity equivalent to the losses which they have sustained, and whose valuation may be left to the care of a Special Commission appointed to that effect by the two Governments.

The Undersigned avails himself, &c;

(Signed) THE CHEVALIER DE MATTOS.

His Excellency the Earl of Aberdeen,
&c. &c. &c.

No. 25.

The Chevalier de Mattos to the Earl of Aberdeen.—(Received September 6.)

Wimpole-Street, 4 Septembre, 1829.

AFIN de compléter la réponse due aux notes que son Excellence M. le Comte d'Aberdeen, &c., voulut bien adresser au Vicomte d'Itabayana en date du 10 Mars 1829, il ne reste au Soussigné, &c. qu'à s'occuper de celle qui a pour objet les réclamations du dit Vicomte en faveur des propriétaires des navires Brésiliens "*Minerva*," "*Cerqueira*," et "*Creola*."

Dans la note de son Excellence M. le Comte d'Aberdeen, il est énoncé que ces navires furent saisis avec des passeports qui leur fournissaient les moyens de faire la traite illicite des nègres; que la Commission Mixte de Sierra Leone, ne se considérant pas autorisé par le Traité alors existant à condamner le "*Minerva*," à bord duquel il ne se trouva pas un seul esclave au moment de sa capture, accorda pour cela au capteur de se desister du procès intenté contre ce navire; que les cas du "*Cerqueira*" et "*Creola*" étant parfaitement analogues au précédent, il ne parut pas nécessaire d'instruire leurs procès respectifs, et finalement, que les prejudiciés dans tous ces cas possédant le droit d'obliger les capteurs à poursuivre jusqu'à l'adjudication des prises, et n'en ayant pas profité, le Gouvernement du Roi considérait l'affaire terminée, et ne pouvait donc pas consentir aux indemnisations demandées par le Vicomte d'Itabayana.

Quant au premier point, le Soussigné croit superflu d'ajouter la moindre observation à celles, qu'il a eu déjà l'honneur de soumettre à son Excellence dans ses notes du 3 Octobre 1829, 17 et 18 Mai dernier, sur la question des passeports, et se bornera à se référer aux susdites notes.

Rélativement aux autres, le Soussigné se fonde sur la lettre et l'esprit des Traités pour soutenir, que la Commission Mixte de Sierra Leone n'avait pas le droit de suspendre la marche d'un procès quelconque à la demande des parties intéressées, bien moins encore du capteur seulement, auquel il ne pouvait jamais être permis de relâcher sa prise, avant que le procès respectif eût été commencé et définitivement jugé; et que l'illégalité d'une capture une fois reconnue, on ne peut avancer aucune raison pour priver les préjudiciés de l'indemnisation compétente.

L'article 5^{me}. de la Convention du 28 Juillet, 1817, est bien explicite sur la désignation du cas, dans lequel les croiseurs d'une des Hautes Parties Contractantes pourraient detenir les navires appartenants aux sujets de l'autre, et les conduire pour être mis en procès devant les Commissions Mixtes instituées à cet effet. Cet Article même porte encore les mots suivants. "The two High Contracting Parties engage mutually to make good any losses, which their respective subjects may incur by the arbitrary and illegal detention of their vessels."

Dans l'Article 1^{er}. des Instructions annexées à la susdite Convention, il est positivement ordonné aux croiseurs des deux nations de conduire tout navire detenu immédiatement, ou avec le moindre délai possible, *afin d'être jugé* par la Commission Mixte. siégeant à l'endroit le plus proche de celui, où la capture aurait eu lieu.

Les Articles 1^{er}. 3^{me}. 6^{me}. 8^{me}. et 13^{me}. du Règlement des mêmes Commissions ne sont pas moins clairs; et le Soussigné, en se prévalant de la teneur de tous, se contentera toutefois de citer uniquement celle de l'Article 1^{er}. "The Mixed Commissions are appointed to decide upon the legality of the detention of such slave-vessels, as the cruizers of both nations shall detain. The Commissions shall give sentence as summarily as possible, 1st, upon the legality of the capture; 2dly, in the case in which the captured vessel shall have been liberated, as to the indemnification which she is to receive."

Il est donc évident, que les trois navires en question une fois saisis et conduits à Sierra Leone, leurs capteurs n'avaient pas la liberté d'empêcher l'instruction de leurs procès, ou d'en arrêter la marche. La Commission était tenue de s'acquitter de son devoir, en jugeant définitivement, et avec les formalités indispensables, les cas soumis à sa juridiction, afin de prononcer une sentence contre le capturé, la justice de sa détention étant prouvée; ou contre le capteur dans l'autre alternative. Le seul cas, où elle aurait pu se prêter à la requête d'une des parties, était celui où une prolongation du terme, fixé pour prononcer son jugement final, serait demandée.

S'il n'en était pas ainsi, les croiseurs pourraient enfreindre librement les stipulations des Traités par des détentions injustes, et courir la chance d'en profiter, dès qu'il dépendrait d'eux de trouver quelque moyen pour ne pas intenter les procès de leurs prises, ou pour les faire cesser aussitôt qu'ils eussent à craindre un résultat défavorable.

La propriété Brésilienne serait exposée de cette manière à des arbitrariedades continuelles, et les victimes de pareilles violences n'obtiendraient jamais la moindre réparation, en même tems que la cause de l'humanité, seul objet des vues et intentions des Hautes Parties Contractantes, n'y gagnerait rien.

Le Soussigné ne peut pas s'abstenir de remarquer une contradiction singulière dans la conduite de la Commission, à l'égard du "*Minerva*." Elle reconnut, que ce navire ne pouvait pas être condamné d'après le Traité existant, et en même tems lui refusa l'indemnisation des pertes résultantes de sa détention illégale, lui infligeant de cette manière une punition, et commettant un acte, pour lequel le Traité en vigueur ne l'autorisait nullement. Il est également à observer, que les cas du "*Cerqueira*" et "*Creola*" ayant été considérés analogues à celui du "*Minerva*," sans qu'une sentence légale les eût prononcés tels. Il parut d'ailleurs que les juges dans les premiers

ont été les capteurs eux-mêmes, qui de leur propre chef les relâcherent avec la même arbitrarité qu'ils avaient mis à la saisir.

La justice de cette réclamation étant donc basée sur des principes incontestables, le Soussigné se persuade, qu'elle sera enfin accueillie par le Gouvernement de Sa Majesté Britannique, et dans cette espérance il a l'honneur de reitérer, &c. &c.

(Signé)

LE CHEVALIER DE MATTOS.

Son Excellence M. le Comte d'Aberdeen.

&c.

&c.

&c.

(Translation.)

Wimpole-Street, September 4, 1830.

TO complete the answer due to the notes, which his Excellency the Earl of Aberdeen, &c., had the goodness to address to the Viscount d'Itabayana, on the 10th of March 1829, the Undersigned, &c., need only attend to that, which relates to the reclamations of that Viscount in favour of the Owners of the Brazilian vessels, the "*Minerva*," "*Cerqueira*," and "*Creola*."

In the note of his Excellency the Earl of Aberdeen it is set forth, that these vessels were seized with passports, which afforded them the means of carrying on the illicit slave-trade; that the Mixed Commission at Sierra Leone, not considering itself authorized by the Treaty then subsisting to condemn the "*Minerva*," on board of which there was not found a single slave at the time of her capture, on that account allowed the Captor to stay the proceedings commenced against this vessel; that the cases of the "*Cerqueira*" and "*Creola*" being perfectly analagous to the preceding, it did not appear necessary to institute proceedings against them respectively; and, finally, that, as the parties prejudiced in all these cases possessed the right of obliging the Captors to prosecute till the adjudication of the prizes, and had not availed themselves of it, the King's Government considered the business as concluded; and could, therefore, not consent to the indemnities demanded by the Viscount d'Itabayana.

As to the first point, the Undersigned deems it superfluous to add any observation to those, which he had already the honour to communicate to his Excellency, in his notes of the 3d of October 1829, and the 17th and 18th of May last, respecting the question of passports, and has only to refer to those notes.

In regard to the others, the Undersigned, appealing to both the letter and spirit of the Treaties, maintains, that the Mixed Commission at Sierra Leone had not the right to suspend the progress of any suit at the requisition of the parties interested, and much less of the Captor alone, who could never be permitted to release his prize, ere the respective process had been set on foot, and definitively adjudicated; and that, when the illegality of a capture is once acknowledged, it is impossible to advance any reason for depriving the parties prejudiced of a competent indemnity.

The 5th Article of the Convention of the 28th of July, 1817, is very explicit in particularizing the case, in which the cruizers of either of the High Contracting Parties may lawfully detain vessels belonging to the subjects of the other, and carry them to be proceeded against before the Mixed Commissions, established for that purpose. That Article, moreover, contains the following paragraph, "The two High Contracting Parties engage mutually to make good any losses, which their respective subjects may incur for the arbitrary and illegal detention of their vessels."

In the 1st Article of the Instructions annexed to the above Convention, the cruizers of both nations are absolutely enjoined to conduct every detained vessel, either immediately, or with the least possible delay, *to be adjudged* by the Mixed Commission sitting at the place nearest that where the capture may have been made.

Articles 1, 3, 6, 8, and 13, of the Regulations of those Commissions are not

ess clear; and the Undersigned, while he avails himself of the contents of all of them, contents himself, however, in this place, with quoting only the tenour of Article 1. "The Mixed Commissions are appointed to decide upon the legality of the detention of such slave-vessels, as the cruisers of both nations shall detain. The Commissions shall give sentence as summarily as possible; 1st, upon the legality of the capture; 2dly, in the case in which the captured vessel shall have been liberated, as to the indemnification which she is to receive."

It is, therefore, evident, that since the 3 vessels in question had been once seized, and conducted to Sierra Leone, their Captors were not at liberty to prevent proceedings being had against them, or to stay the progress of the proceedings. The Commission was bound to discharge its duty, by judging definitively, and with the indispensable forms, such cases as were brought before it, in order to pronounce a sentence either against the party captured, if the justice of its detention should be proved, or against the Captor in the other alternative. The only case, in which it would have been warranted to yield to the instance of either of the parties, was that, in which an extension of the term, fixed for pronouncing its final judgment, had been demanded.

Were it not thus, the cruisers might, at their pleasure, infringe the stipulations of the Treaties, by unjust detentions, and seek to benefit by them, if it depended only on them to discover some method for being exempted from instituting proceedings against their prizes, or for putting a stop to them the moment that they had reason to fear any unfavourable result.

Brazilian property would then be exposed to arbitrary acts without intermission, and the victims of such violence would never obtain the least reparation, while the cause of humanity, the only object of the views and intentions of the High Contracting Parties, would gain nothing by it.

The Undersigned cannot refrain from pointing out a strange inconsistency in the conduct of the Mixed Commission in respect of the "*Minerva*." It admitted that this vessel could not be condemned according to the subsisting Treaty, yet, at the same time, refused her an indemnity for the losses resulting from her illegal detention; whereby it inflicted upon her a punishment, and committed an act, which the Treaty in force by no means authorized. It is likewise observable, that the cases of the "*Cerqueira*" and "*Creola*" have been considered as analogous to that of the "*Minerva*," though no legal sentence has declared them such. It also would appear, that the Judges in the former were the Captors themselves, who, of their own authority, released them from the same arbitrary motive which impelled them to seize the vessels.

The justice of this reclamation resting, therefore, upon incontestible principles, the Undersigned is persuaded, that it will at length be admitted by the Government of His Britannick Majesty; and in this hope he has the honour to repeat, &c. &c.

(Signed)

THE CHEVALIER DE MATTOS.

His Excellency the Earl of Aberdeen,
&c. &c. &c.

No. 26.

The Chevalier de Mattos to the Earl of Aberdeen.—(Received October 2.)

Wimpole-Street, ce 2 Octobre, 1830.

LE Soussigné, &c., est encore obligé d'adresser à son Excellence Monsieur le Comte d'Aberdeen, &c., une nouvelle réclamation en faveur du propriétaire du brick Brésilien, "*Principe de Guiné*," illégalement capturé sur la Côte d'Afrique par la goelette "*Hope*," et condamné par la Commission Mixte de Sierra Leone.

La goelette "*Hope*," n'appartenant pas à la Marine Royale Britannique, puisqu'elle était la propriété du Commodore Bullen, et celui, qui la commandait, n'ayant point au moins le grade de Lieutenant, ni des instructions du Gouvernement du Roi, qui l'autorisassent à croiser sur la Côte d'Afrique.

il suffirait au Soussigné d'invoquer les Articles 3^{me} and 7^{me} de la Convention du 28 Juillet 1817, l'Article 7^{me} des instructions annexées à la même Convention, et l'Article 13^{me} du Règlement des Commissions Mixtes, pour établir d'une manière incontestable la justice de cette réclamation. Mais outre la violation des Articles cités, plusieurs autres irrégularités précédèrent la condamnation du bric "*Principe de Guiné*," que le Soussigné ne peut pas se dispenser de relever.

D'Abord le Capteur, au lieu de conduire la prise tout droit à la Colonie de Sierra Leone, où résidait la Commission Mixte la plus prochaine, comme il est expressément recommandé dans l'Article 1^{er} des Instructions susmentionnées, s'est dirigé à l'Île du Prince, où il resta pendant quelque jours, ayant auparavant fait passer à bord de la goelette tout l'équipage du bric capturé, contre la lettre de l'Article 8^{me} des mêmes instructions.

Ensuite la Commission Mixte de Sierra Leone, ne se contentant pas d'opposer tous les obstacles possibles à ce que le Maître du bric préparât les moyens de sa défense, allant même jusqu'à ne pas lui permettre de débarquer pendant que le capteur poursuivait le procès, a entièrement invalidé l'Article 3^{me} de son Règlement, qui lui enjoint de procéder toujours à l'interrogatoire au moins de 2 ou 3 des principaux individus de tout navire capturé, en condamnant le bric en question sans que personne fût entendue excepté le Maître.

Au surplus le capteur même avoua, comme il est constant du procès, que la goelette avait été achetée par le Commodore Bullen, et qu'il n'agissait que d'après les instructions particulières du dit Commodore.

En présence de telles infractions des Traités, le Soussigné se flatte de l'heureux résultat de la présente réclamation; et dans cette espérance il a l'honneur de réitérer, &c.

(Signé) LE CHEVALIER DE MATTOS.

Son Excellence M. le Comte d'Aberdeen,
&c. &c. &c.

(Translation.)

Wimpole-Street, October 2, 1830.

THE Undersigned, &c., is once more under the necessity of addressing to his Excellency the Earl of Aberdeen, &c., a fresh reclamation in favour of the Owner of the Brazilian brig "*Principe de Guiné*," which was illegally captured on the Coast of Africa, by the schooner "*Hope*," and condemned by the Mixed Commission of Sierra Leone.

As the schooner "*Hope*" did not belong to the Royal Navy of Great Britain, inasmuch as she was the property of Commodore Bullen, and as her Commander had not even the rank of Lieutenant, nor the instructions of the King's Government to authorise him to cruise on the Coast of Africa, it would be sufficient for the Undersigned to refer to Articles 3 and 7 of the Convention of the 28th of July 1817; to Article 7 of the Instructions annexed to that Convention; and to Article 13 of the Regulations for the Mixed Commission, in order irrefragably to demonstrate the justice of the present reclamation. But, independent of the Articles just mentioned, several other irregularities preceded the condemnation of the brig "*Principe de Guiné*," which the Undersigned cannot refrain from stating.

In the first place, the Captor, instead of carrying the prize straightway to the Colony of Sierra Leone, where the nearest Mixed Commission resided, as it is expressly recommended in Article 1 of the Instructions above referred to, proceeded to Prince's Island, where he remained for some days, after transferring on board the schooner all the crew of the captured brig, contrary to the letter of Article 8 of the same Instructions.

In the next place, the Mixed Commission of Sierra Leone, not content with throwing every possible obstacle in the way of the Owner of the brig, to prevent him from preparing his defence, and even to refuse him permission for landing while the Captor was prosecuting his suit, did entirely set at

nought Article 3 of its Regulations, which enjoins the Commission to proceed always to interrogate at least 2 or 3 of the principal persons of every captured vessel, in condemning the brig in question without hearing any one except the Owner.

Besides, the Captor himself owned, as appears from the proceedings, that the schooner had been purchased by Commodore Bullen, and that he acted only on the private instructions of that Commodore.

In consideration of such infractions of the Treaties, the Undersigned flatters himself with the happy issue of the present reclamation, and in this hope has the honour to repeat, &c.

(Signed) THE CHEVALIER DE MATTOS.

His Excellency the Earl of Aberdeen,
&c. &c. &c.

No. 27.

The Chevalier de Mattos to the Earl of Aberdeen.—(Received October 4.)

Wimpole-Street, ce 4 Octobre, 1830.

LE commerce d'esclaves dans la Côte d'Afrique étant absolument interdit aux sujets Brésiliens depuis le 13 Mars dernier, et ceux qui l'entreprendront à l'avenir devant être punis, d'après les stipulations du Traité du 23 Novembre 1826, par les Tribunaux ordinaires des deux Hautes Parties Contractantes, le Soussigné, &c., a reçu l'ordre de son Gouvernement, pour concerter avec celui du Roi la dissolution des Commissions Mixtes, établies à Sierra Leone et à Rio de Janeiro, maintenant tout à fait superflus. En conséquence de quoi le Soussigné a l'honneur de prier son Excellence M. le Comte d'Aberdeen, &c., de vouloir bien prendre les mesures convenables, pour que la susdite dissolution puisse se vérifier, quant à la Commission de Rio de Janeiro jusqu'à la fin du prochain mois de Décembre, et relativement à l'autre, jusqu'à 30 Juin 1831, époque à laquelle doivent être complètement décidées toutes les causes pendantes à la Commission de Sierra Leone.

Le Soussigné, &c.

(Signé) LE CHEVALIER DE MATTOS.

Son Excellence le Comte d'Aberdeen.
&c. &c. &c.

(Translation.)

Wimpole Street, October 4, 1830.

THE slave-trade on the Coast of Africa being totally forbidden to Brazilian subjects from the 13th of March last, and those who shall hereafter engage in it being liable to punishment, in virtue of the stipulations of the Treaty of the 23d of November 1826, by the ordinary Tribunals of the two High Contracting Parties, the Undersigned, &c., has been directed by his Government, to concert with that of the King, the dissolution of the Mixed Commissions established at Sierra Leone and Rio de Janeiro, now entirely superfluous. In consequence of which the Undersigned has the honour to request his Excellency the Earl of Aberdeen, &c., to be pleased to take the proper measures for carrying the above resolution into effect, with regard to the Commission of Rio de Janeiro, at the end of the next month of December; and in respect of the other, to the 30th of June 1831, the term at which all the causes pending in the Commission of Sierra Leone must be completely decided.

The Undersigned avails himself, &c.

(Signed) THE CHEVALIER DE MATTOS.

His Excellency the Earl of Aberdeen,
&c. &c. &c.

No. 28.

The Earl of Aberdeen to A. Aston, Esq.

SIR,

Foreign Office, October 31, 1830.

HIS Majesty's Consul at Maranhão has transmitted to me the copies of several communications, which he has made to you in the course of this year, and from which it would appear, that circumstances had occurred at Maranhão of a nature so very suspicious, in respect to their character of illegal slave-trade, as to render it evidently desirable, that representations should have been addressed by His Majesty's Representative at Rio de Janeiro, to the Government of Brazil, upon the subject in question.

I have not, however, heard from you upon these points, and I have, therefore, to desire, that you will furnish me, for the information of His Majesty's Government, with copies of the representations, which you have made to the Brazilian Ministers, and of the answers which you have received from them, relating to the transactions above referred to.

I am, &c.

(Signed)

ABERDEEN.

Arthur Aston, Esq.
 &c. &c. &c.

No. 29.

A. Aston, Esq. to the Earl of Aberdeen.—(Received November 2.)

MY LORD,

Rio de Janeiro, August 31, 1830.

I HAVE the honour to forward to your Lordship a copy of a note, which I have received from the Brazilian Minister, enclosing a petition addressed to His Imperial Majesty by a Brazilian Merchant engaged in the slave-trade; representing, that having left the Coast of Africa, on his voyage homewards to Brazil, with a cargo of slaves, previous to the period fixed for the final abolition of that traffick, he had been obliged, in consequence of shipwreck, to land the slaves at the Portuguese Settlement in the Bay of Lourenço Marquez, and soliciting this Government to grant the necessary permission to dispatch a vessel to the above place, for the purpose of transporting the slaves to Rio de Janeiro.

The Minister states in his note, that the Imperial Government has declined to deliver the required passport, without having previously informed His Majesty's Government of the details of this case, which His Excellency, therefore, requests me to transmit to your Lordship, in order that the return of the vessel may not be impeded by His Majesty's Cruizers.

In complying with the Minister's wishes, I have in my reply avoided pronouncing any opinion, which could be construed into an acknowledgement, on my part, of the probable acquiescence of His Majesty's Government in this request.

I have, &c.

(Signed)

ARTHUR ASTON.

The Right Hon. the Earl of Aberdeen, K. T.
 &c. &c. &c.

First Enclosure in No. 29.

*Señor Calmón to A. Aston, Esq.**Rio de Janeiro, August 20, 1830.*

THE Emperor, my august Master, has just been petitioned by Thomas Vincent Dos Santos, a merchant of this city, to grant the assistance of a ves-

sel, in order to fetch 691 slaves bought by him in the Bay of Lourenço Marquez; from whence his ship, bearing the same name, having sailed, *bond fide*, on the 11th day of March, of the present year, and consequently previous to the term, marked in the Instructions given to the British cruizers not to impede the return to Brazil of the ships employed in this traffick, it happened that she was wrecked, and that the crew and said slaves were alone saved, who have been deposited in the Portuguese territory, in the said bay, there not having been any vessel to transport them, and are remaining there, maintained at the cost of the petitioner.

The Government of His Imperial Majesty, finding the representation of the petitioner well founded, in consequence of the weighty reasons detailed in the petition, and documents herewith enclosed, has not, however, considered it proper to grant a passport to the ship which is destined to transport the said slaves, without previously giving information of this affair to the British Government, in order to prevent the risk which the said vessel might run, were she to be met with by the British cruizers on the Coast of Africa.

The Undersigned, &c., limits himself to the communication of the above-mentioned affair to Mr. Aston, &c., in the hopes that he will take on his part the necessary steps, in order that the request of the petitioner be attended to, and avails himself, &c. &c.

(Signed)

M. CALMON DU PIN E ALMEIDA.

Arthur Aston, Esq.

&c. &c. &c.

Second Enclosure in No. 29.

(Translation.)

M. Dos Santos's Memorial to the Emperor of Brazil.

SIRE,

TRUSTING to the goodness, with which your Imperial Majesty is wont to protect and advance the interests of your subjects, Vicente Thomas dos Santos, a merchant of this city, approaches the foot of your throne, to endeavour to obtain the high support of your Imperial Majesty, in providing a remedy for the fatal occurrence which he is about to state, and which threatens to reduce your Memorialist to the brink of ruin, if your Imperial Majesty's grandeur and benignity do not extend their assistance to him.

This melancholy event is fully proved in the annexed documents, from which it appears that your Memorialist was Owner and Freightor of the galley "*Lourenço Marques*," which on sailing from the bay of the same name, on the 11th March last, with a cargo of 691 slaves, destined for this port, was lost just when she was standing out to sea, and that nothing was saved, but the crew and the slaves just mentioned. It will also be found, that, as at that time, no vessel was in the port alluded to capable of receiving the slaves, and of carrying them to their place of destination, they were lodged in the Portuguese factory of that port, where they are maintained now at the charge of the Memorialist.

It being impossible to sell the slaves in a place so wretched and ill-peopled, or to send them anywhere else, your Memorialist continues supporting them; so that the losses sustained by him are now increased by this considerable expenditure, without any hope of re-imbursement, and on this continuance depends, in the mean time, not only the existence of those negroes, but even that of the people of that establishment and factory, inasmuch as it is feared that the slaves would mutiny, if they were to be kept short of food.

From this plain and irrefragable statement, which your Memorialist humbly offers to your Imperial Majesty's consideration, may be inferred the great and incurable prejudice, which your Memorialist suffers in his fortune, through the miscarriage of his speculation, the loss which falls on three Insurance Companies in this metropolis, obliged to make good bottom and cargo, a loss that may prove fatal, as well to them as to all the commercialists of the city, from the extent of their transactions, and, lastly, the dangerous consequences, above referred to, which will unavoidably ensue if some measure be not im-

mediately taken respecting the negroes deposited in the Bay of Lourenço Marquez.

There is no other measure suited to the rights of your Memorialist, and capable of remedying all the evils alluded to, but that of your Memorialist's dispatching hence a vessel for bringing away the deposited slaves.

To this expedient your Memorialist would have resorted forthwith, were he not prevented by the literal tenour of the Treaty, concluded between your Imperial Majesty and His Majesty the King of Great Britain, for the cessation of the slave-trade, which prohibits the sailing of any vessel laden with slaves, from the ports of the Coast of Africa, after the 13th of March of this year.

But your Memorialist ventures to submit, with every humility and respect due to so sovereign a determination, that the August and High Contracting Parties could not mean to apply it so as to deprive him of his right; and he trusts, that your Imperial Majesty will deign to grant him a dispensation from the same for his behalf, since the above stated proofs manifestly show, that the negotiation was concluded and the voyage begun within the above previously fixed period, in which the traffick was legal; and that, of consequence, the slaves were and are the property of your Memorialist. His right being legal in its origin, and not having been deteriorated in any way, inasmuch as the slaves were safe and are still maintained at your Memorialist's expense, it is unquestionable, that he could not justly be prohibited to have them conducted from another port, in which they were kept deposited; but as the nature of the transaction is not changed by the accidental circumstance, which your Memorialist could not avoid, of the port nearest to the place of shipwreck, happening to be on the Coast of Africa, it is fully consistent with justice, that your Memorialist should be authorized to go in quest of his said slaves.

Assuredly, in no tribunal or court of appeal, governing itself by the spirit and not by the letter of the law, which letter, when strictly applied, is for the most part destructive of the spirit, would your Memorialist be condemned for availing himself of such an expedient; it being, therefore, evident that the object of the Convention and Treaty was to put an end to the slave-trade on the Coast of Africa, and to allow a reasonable period for concluding the negotiations, and the calling in of the funds employed in them, such favour ought not to be denied your Memorialist, who completed his venture within this period; and as the Treaty could not anticipate all accidents and risks of the sea, such as the striking and foundering of your Memorialist's vessel, which occasioned her total and fortuitous loss, it became necessary to subject the stipulated term to a liberal construction, consistent with that candour which springs from the principles of natural equity analogous to those which have been made the basis of numerous decisions reported in books on the publick law.

Impressed with this persuasion, your Memorialist deems it more respectful to implore such construction from your Imperial Majesty as an especial favour; and he hopes that your Imperial Majesty will be pleased to grant him an individual and exclusive order, such as cannot be drawn into a precedent, for freighting either a Merchant ship, or one belonging to the Imperial and National Navy, to conduct to this port the 691 slaves deposited in the Bay of Lourenço Marquez, on such conditions, provisos, and precautions as shall appear either necessary or expedient for preventing every abuse or fraud. And as there is no time left for soliciting the same favour of exemption from the other Contracting Party, a request to which your Memorialist would, perhaps not even be competent; your Memorialist supplicates your Imperial Majesty, with the most profound respect, to be pleased to order the Office of the Secretary of State for Foreign Affairs to inform the Chargé d'Affaires of His Britannick Majesty of the permission, which your Imperial Majesty had given to your Memorialist, and of the exception to the letter of the Treaty demanded by those principles of justice and humanity, which are applied to all stipulations whatsoever.

And he will receive favour.

Third Enclosure in No. 29. (Translation.)

Protest concerning the "Lourenço Marquez," lost in the Bay of that name.

Rio de Janeiro, June 2, 1830.

KNOW all, to whom this publick instrument of protest shall come, that in the year of the birth of our Lord Jesus Christ, 1830, on the 2d of June, in this Capital and City of Rio de Janeiro, in my office, there appeared Vicente Thomas dos Santos, and said before me, and the witnesses signed underneath, that it had come to his knowledge, on Saturday the 29th of May last, through the Captain, Officers and Passengers of the vessel called "*Fluminense*," arrived on that day, that the galley named "*Lourenço Marquez*," on sailing out of the bay of the same name, on the East Coast of Africa, the 11th of March of the current year, in order to proceed directly to this Port of Rio de Janeiro, where she was to land 691 slaves, whom she had taken on board in the said Bay of Lourenço Marquez, and at Mosambique, they being partly for account of him the deponent, and partly for that of several other Owners, had, by mere accident of the sea, and stress of weather, chanced to be driven on shore and wrecked, while she was still within the said bay, in consequence of which foundering she could no longer be navigated; and having also sprung large leaks, both in her bottom and sides, was completely lost; nor was there time for saving any more than the slaves and the crew, by means of the boats coming to their assistance from the vessels in the port, and slaves and crew came safely on shore with their lives, while all the remainder belonging to the ship and cargo was lost, in consequence of the total destruction and ruin of the ship: all which happened on the 11th of March.

Deponent is also cognizant, that as there was not in the said Bay of Lourenço Marquez, at the time of the above disaster, any vessel capable of receiving and carrying to Brazil the slaves reserved, to the number of 691, that is, those who actually were so, the shipwrecked Captain, Charles Adrião de Salles, in concurrence with his Officers and crew, took the resolution to leave in the custody and keeping of the Portuguese factory, established in that bay, the slaves belonging to the principal cargo, and also those of the other Owners, who did not appear to receive them; seeing that it was impracticable either to carry them to Brazil, or to sell them publicly, by reason of the want of buyers, in a place so ill-peopled, whence it was impossible to pursue any other course for the interests of humanity, and of the individuals affected by the event in question. And, finally, he, deponent, has been informed, that the said Captain Charles Adrião de Salles having determined to go to Rio de Janeiro, with the view of soliciting the Imperial Government to take some measure for remedying so melancholy and unexpected a misfortune, actually took his passage on board the vessel called the "*Fluminense*," which sailed from Lourenço Marquez on the day after the shipwreck, where he sickened, and at last died the 23d of last April. That under these untoward circumstances, while not only the Captain of the lost ship was dead, but also no one could be found capable to replace him, he, Vicente Thomas dos Santos, came before me, to protest, as he actually does protest, against the above-mentioned calamity of ship and cargo, and against all and any consequences therefrom ensuing, whether mediate or immediate, near at hand or remote, past, present, and future, such as the death, mutiny, and abandonment of the slaves, seeing that the calamity has happened without the direct or indirect participation or criminality of him, the author of this protest, or of his superiors and agents, but solely from an occurrence incident to navigation, from the uncertainty of the sea, and from stress of weather, so that the calamity in question can neither itself nor its consequences prejudice the right of him, the protester, and of whosoever may, or ought to have, such right to indemnification for injuries, from him who is to afford it, which protest, deponent says, he made in the best form of law, and that it may be beneficial, general, and appertaining without distinction, to all persons interested in the lost ship and her cargo; it being understood that there are in this place, to be considered as expressed, though they be not so, any clauses required to be specially mentioned for giving to the protest the greater validity and force. And as he is

now within the 24 legal hours from the arrival of the intelligence respecting the above calamity, because of the days elapsed from the 29th of May, on which that intelligence was received from and circulated by the ship "*Fluminense*," to this day, having been holidays, and that the Captain who ought to have made the protest is dead, as has already been stated, deponent requested me to take and receive from him this protest of his, in the manner just mentioned, it being, with regard to the particulars of the disaster, drawn up as they were related to him and as they are generally known in this city, and he also requested me to give him as many copies of this protest as he might want; all which I did, in compliance with the duties of my office, in the presence of the witnesses, Narcizo Jozé da Silva, Francisco Antonio Barboza, Jozé Narcizo Coelho, Tolentino Van Deck, and I, Joaquim Jozé de Castro, subscribed my signature publicly and without the impression of a seal. In testimony of the truth, (*here the publick seal.*)

(Signed) VICENTE THOMAS DOS SANTOS.
JOZE NARCIZO COELHO.
TOLENTINO VAN DECK.
NARCIZO JOZE COELHO.
FRANCISCO ANTONIO BARBOZA.

Fourth Enclosure in No. 29.

A. Aston, Esq. to Señor Calmon.

Rio de Janeiro, August 22, 1830.

THE Undersigned, &c. has had the honour to receive the note which his Excellency Señor Calmon, &c., addressed to him on the 20th instant, representing that the Brazilian merchant, Vicente Thomas Dos Santos, having left the Coast of Africa, on his return to Brazil, with 691 slaves on board his vessel, on the 11th of March of the present year, has been obliged, in consequence of shipwreck, to land the slaves at the Portuguese settlement in the Bay of Lourenço Marquez; that the said individual has subsequently applied to the Government of His Imperial Majesty, for permission to dispatch a vessel to the abovementioned place, for the purpose of transporting the slaves from thence to Rio de Janeiro; and finally, that the Brazilian Government has declined to grant the required passport, without having previously informed His Majesty's Government of the facts of this case, in order that no impediment might be offered by His Majesty's cruizers to the return of the said vessel.

In reply to this communication, the Undersigned has the honour to observe, that he cannot undertake to pronounce any opinion as to the view which His Majesty's Government may take of the case in question, as being entitled, under the peculiar circumstances detailed in his Excellency's note, to a relaxation of the regulations and penalties at present in force by the Convention of 1826, for the abolition of the African slave-trade.

The Undersigned begs, however, to assure his Excellency, that he will immediately transmit his Excellency's note and the accompanying documents to His Majesty's Government.

He avails himself, &c.

(Signed) ARTHUR ASTON.
His Excellency Señor Calmon du Pin e Almeida,
 &c. &c. &c.

No. 30.

A. Aston, Esq. to the Earl of Aberdeen.—(Received November 15.)

MY LORD.

Rio de Janeiro, September 14, 1830.

I HAVE the honour to enclose copies of a correspondence, which has taken place with the Brazilian Minister for Foreign Affairs, upon the subject of the

arrival in this port of 2 vessels, one a Brazilian and the other under Portuguese colours, with cargoes of slaves on board.

His Excellency states, that the necessary measures have been adopted by the Imperial Government to bring these transactions under a strict legal investigation, in order that due effect may be given to the stipulations of the Convention of 1826.

After the preliminary forms have been observed, I shall require that both these cases, which are notoriously illegal, be submitted to the decision of the Mixed Commission Court.

I have, &c.
(Signed)

ARTHUR ASTON.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

First Enclosure in No. 30.

A. Aston Esq. to Señor Calmon.

Rio de Janeiro, September 6, 1830.

THE Undersigned, &c., has just received information of the arrival this morning, of a Brazilian vessel (the name of which he has not as yet been able to ascertain) after a voyage of 42 days, from Mosambique, with a numerous cargo of slaves on board.

He loses no time in communicating this fact to his Excellency Señor Calmon, &c., in the confident expectation that his Excellency will immediately cause the strictest enquiry to be instituted with respect to a transaction, which, there are well-founded reasons for believing, amounts to a direct infraction of the stipulations of the Convention of 1826.

The Undersigned has likewise to request that, pending the investigation, his Excellency will be pleased to direct the vessel to be placed under the superintendence of the proper Authorities, and to prohibit the disembarkation of the slaves.

The Undersigned, &c.

(Signed)

ARTHUR ASTON.

His Excellency Señor Calmon du Pin e Almeida,
&c. &c. &c.

Second Enclosure in No. 30.

A. Aston, Esq. to Señor Calmon.

Rio de Janeiro, September 8, 1830.

WITH reference to the note, which the Undersigned, &c. had the honour to address to his Excellency Mr. Calmon, &c. dated 6th instant, he has now to inform his Excellency, that the name of the vessel, on board of which a cargo of slaves has been imported into this harbour, is "*Eliza*," a Brazilian barque, consigned to an individual of the name of J. A. da Silva Porto.

Information has also reached the Undersigned of the arrival of another vessel, called "*Feliz Marianna*," under Portuguese colours, likewise with slaves on board.

Both these cases call for the prompt and rigorous interference of the Imperial Government, and the Undersigned, in making the present representation to his Excellency, feels confident that no efforts will be wanting on the part of his Excellency's Government to give effect to the investigation, which it is the duty of the Undersigned to demand.

The Undersigned avails himself, &c.

(Signed)

ARTHUR ASTON.

His Excellency Señor Calmon du Pin e Almeida,
&c. &c. &c.

Third Enclosure in No. 30.

(Translation.)

*Señor Calmon to A. Aston, Esq.**Rio de Janeiro, September 8, 1830.*

THE Undersigned, &c. has the honour to acknowledge the receipt of the note, which Mr. Aston, &c. addressed to him on the 6th instant, informing him, that a Brazilian vessel, with whose name he was unacquainted, had arrived in this port from Mozambique, in 40 days, with a cargo of slaves, and requiring for that reason the intervention of the Brazilian Government to proceed to a rigorous investigation of the affair. The Undersigned has the satisfaction of informing Mr. Aston, that, previous to the receipt of his above-mentioned note, the Imperial Government had already issued the necessary orders, through the Departments of Finance and Justice, in order to prevent the landing of the slaves, and the dispatch not only of the vessel above-mentioned, but also of another, which arrived on the same occasion, under the Portuguese colours; against the Consignees of which proceedings were about to be instituted, according to law and the Convention of the 23d of November, 1826; Mr. Aston being assured, that the Government of His Imperial Majesty will not fail to employ every means in their power to put a stop to so abominable a trade, under whatever pretext or form it may be.

The Undersigned, &c.

(Signed)

MIGUEL CALMON DU PIN E ALMEIDA.

Arthur Aston, Esq.

&c. &c. &c.

Fourth Enclosure in No. 30.

(Translation.)

*Señor Calmon to A. Aston, Esq.**Rio de Janeiro, September 9, 1830.*

THE Undersigned, &c. hastens to acknowledge the receipt of the note, which Mr. Aston, &c. addressed to him yesterday, informing him, that the vessel, mentioned in his former note of the 6th instant, was the Brazilian barque, called "*Eliza*," consigned to Joao Alvez da Silva Porto, and adding that the arrival of another ship, called the "*Feliz Marianna*," under Portuguese colours, and with a similar cargo of slaves, had come to his knowledge.

The Undersigned having communicated to Mr. Aston, in his note of the 8th of September, the measures which the Government, on the first rumour of the arrival of these vessels, had taken upon the subject; it only remains for him to refer Mr. Aston to the contents of the above-mentioned answer of the Undersigned.

The Undersigned, &c. &c.

(Signed)

MIGUEL CALMON DU PIN E ALMEIDA.

Arthur Aston, Esq.

&c. &c. &c.

No. 31.

Viscount Palmerston to A. Aston, Esq.

SIR,

Foreign Office, December 10, 1830.

HIS Majesty's Government have taken into consideration the correspondence annexed to your despatch of the 31st of August, respecting the petition of Vincent Thomas dos Santos to the Government of Brazil, for permission to bring from Lourenço Marquez to Rio de Janeiro, 691 slaves, stated

to have been embarked from Africa previously to the time fixed by Treaty for the abolition of the Brazilian slave-trade, but to have been relanded in consequence of the wreck of the vessel on her passage; and they are of opinion, that, assuming the averments in Vincent Thomas dos Santos's petition to be true, there can be no objection to a compliance with his demand.

I have, therefore, to desire, that you will immediately institute a further enquiry into this case, and if, upon such enquiry, you find the facts verified by proof, you will then be at liberty to communicate to the Government of Brazil the acquiescence of His Majesty's Government in the proposed arrangement.

In doing so, however, you will be careful at the same time to adopt every possible precaution, to prevent this acquiescence on the part of His Majesty's Government from being made the ground-work of future applications.

I am, &c.

Arthur Aston Esq.
&c. &c. &c.

(Signed)

PALMERSTON.

No. 32.

Viscount Palmerston to the Chevalier de Mattos.

Foreign Office, December 10, 1830.

THE Undersigned, &c. has to acquaint the Chevalier de Mattos, &c. that His Majesty's Government have had under consideration the note which was addressed, on the 3d of April last, by the Chevalier de Mattos to His Majesty's Secretary of State, renewing the claim for indemnification, which was brought forward by the Viscount d'Itabayana, in favour of the Owners of the "*Tres Amigos*," detained and condemned at Sierra Leone, on a charge of having been concerned in illegal slave-trade.

The arguments now adduced by the Chevalier de Mattos against the sentence condemning the ship and cargo, appear, in substance and effect, to be the same as those which were formerly urged by the Viscount d'Itabayana, and to which His Majesty's Secretary of State replied, in his note of the 10th of March 1829, upon this subject.

To that note the Undersigned has the honour to refer the Chevalier de Mattos, acquainting him at the same time, that His Majesty's Government does not see any reason to differ from the opinion therein expressed.

The Undersigned avails himself, &c.

(Signed)

PALMERSTON.

The Chevalier de Mattos,
&c. &c. &c.

No. 33.

Viscount Palmerston to the Chevalier de Mattos.

Foreign Office, December 10, 1830.

THE Undersigned, &c. has the honour to acquaint the Chevalier de Mattos, &c. that His Majesty's Government have had under their consideration the notes which were addressed, on the 3d of October 1829, and the 13th of May 1830, by the Chevalier de Mattos to His Majesty's Secretary of State, urging again the claim of the Owners of the Brazilian vessels, "*Heroína*," "*Tentadora*," "*Eclipse*," and "*Venturoso*," to an indemnity for the losses which they had sustained by the condemnation of those vessels, in the Mixed Commission Court at Sierra Leone.

These cases, it appears, have already been the subject of representations from the Government of Brazil, to His Majesty's Government; and the Earl of Aberdeen, in his notes of the 2d of December 1828, and 10th of March

1829, addressed to the Viscount d'Itabayana, fully stated and explained the grounds upon which His Majesty's Government maintained and supported, and still maintain and support, the propriety of the sentences pronounced by the Mixed Commission Court at Sierra Leone, in these as well as in other cases, which were determined upon the same principles.

The note from M. de Mattos, of the 3d of October 1829, relating to the "*Heroína*," is almost entirely confined to the subject of passports, permitting Brazilian slave-vessels to touch at ports on the Coast of Africa, where the slave-trade was prohibited, and to the right, claimed by His Majesty's Government, to capture such vessels, to the north of the Line, although they might not actually have slaves on board.

The Undersigned has to observe to the Chevalier de Mattos, that, as the correspondence, which has already passed on this point, embraces all the arguments which can be brought to bear upon it, the Undersigned has no other task left, in this respect, than to refer the Chevalier de Mattos to the correspondence already mentioned, as containing the reasons which induced His Majesty's Government to adopt, and subsequently to express their determination to adhere to, the measures now complained of.

The note, however, of the 17th of May 1830, purports to contain some additional arguments in support of the claim of the Owners of the "*Tentadora*," "*Eclipse*," and "*Venturoso*," to indemnity.

The Chevalier de Mattos, in the first place, contends in his note, that as the Brazilian Government had not engaged to prohibit the subjects of Brazil from having any communication with the North of Africa, that Government had an undoubted right to grant permission to Brazilian vessels, employed in the lawful slave-trade, to touch at ports in which the trade in slaves was prohibited by Treaty; that passports containing such permission were, therefore, lawful, and that the fact of their having such passport ought not to subject the vessel to condemnation, as having violated the Treaty.

This argument, however, appears to have been founded on wrong principles, since the 4th Article of the Convention of 1817 expressly provides, that every Portuguese slave-vessel shall be provided with a passport conformable to a model annexed. The model declares, that the Master and Owner are under an obligation to enter such ports only, on the Coast of Africa, where the slave-trade is permitted to the subjects of Brazil; and this model is declared to form an integral part of the Treaty.

The Treaty, therefore, is violated when the model is altered; and it never can be admitted, that, when the Treaty has prescribed a particular form of passport, either of the parties shall be at liberty to substitute another; the necessary effect of which would be, to afford those facilities for the evasion of the Treaty, which it was the object of the particular stipulation to prevent.

The practice, therefore, of granting such passports as those, under which these three ships were navigating, was not only an infraction of the Treaty, by the Brazilian Government, but an infraction of it in a most important particular.

The Chevalier de Mattos argues, however, and justly, that it would be the height of injustice to confiscate vessels, which, being prevented by storms or other inevitable causes from pursuing their voyage, should seek shelter in the nearest port.

His Majesty's Government do not object to this position; such cases are indeed specially provided for by the 5th Article of the Instructions annexed to the Treaty, and all that is requisite is, that the causes and purpose of the deviation should be legitimate and duly proved; and the question, therefore, simply is, whether the proof produced in these cases was satisfactory upon those points. The Commissioners at Sierra Leone were clearly of opinion, for the reasons stated in the judgment, that it was not.

They judged, that the vessels, under the false pretence of having encountered tempestuous weather, and upon unfounded allegation of other accidents, were found in prohibited places, under such circumstances as left no doubt, that the parties were engaged in carrying on the illicit trade in slaves; and on that ground mainly, and substantially, sentence of condemnation was passed on the vessels, a sentence in which, under the circumstances shewn,

the concurrence of His Majesty's Government has already been signified to the Brazilian Government, and there does not appear, in the statement of the Chevalier de Mattos, any thing which would furnish sufficient reason for departing from that sentence.

The Chevalier de Mattos, however, urges still, as a further objection against the legality of the proceedings in respect to the vessel, that the Captors were allowed to produce evidence to contradict the depositions of the witnesses and the ship's papers; and M. de Mattos, in support of his objection, cites a passage from Mr. Chitty's work on the Law of Nations; now, without attempting to controvert the general correctness of this principle, as there laid down, it may be sufficient here to observe, that this is not a proceeding under the general Law of Nations, but under a specifick Treaty, entered into for a particular purpose, and that, by the 3d Article of the Regulations for the Mixed Commission Court, annexed to that Treaty, the Judges are directed, in the first place, "to proceed to the examination of the papers of the vessel, and to receive the depositions, on oath, of the Captain, and 2 or 3, at least, of the principal individuals on board of the detained vessel, *as well as the declaration, on oath, of the Captor, should it appear necessary in order to judge and pronounce if the vessel had been justly detained, or not, according to the stipulations of the Additional Convention of this date (July, 1817), and in order, that, according to this judgment, it may be condemned or liberated;*" so that the Court have a discretionary power, in every case, to admit the Captor's evidence, if they think the circumstances are such as to require it.

Upon a consideration, therefore, of the whole of the statement of the Chevalier de Mattos, together with a perusal of the papers which have previously been produced in these cases, the Undersigned has only to repeat to the Chevalier de Mattos, that His Majesty's Government cannot admit that the Owners of the "*Heroína*," "*Tentadora*," "*Eclipse*," and "*Venturoso*," are entitled to claim any indemnity from His Majesty's Government, for the losses which have been occasioned by the condemnation of those vessels.

The Undersigned avails himself, &c.

(Signed) PALMERSTON.

The Chevalier de Mattos,
&c. &c. &c.

No. 34.

Viscount Palmerston to the Chevalier de Mattos.

Foreign Office, December 10, 1830.

THE Undersigned, &c. has to acquaint the Chevalier de Mattos, &c. that the note, which was addressed on the 18th of May 1830, to His Majesty's Secretary of State, by the Chevalier de Mattos, respecting the alleged illegality of the detention and condemnation of the Brazilian vessel "*Esperanza*," has been referred for the opinion of the proper Law Officer of the Crown.

That Officer has reported, that the "*Esperanza*," having, according to her passport, been destined to Cabinda for a cargo of slaves, was, within a month of the date of that passport, found in latitude 6. N., in sight of the Port of Lagos, and there captured.

That a strict investigation having been entered into, of the causes adduced for the deviation of the vessel so far to the northward of her proper course, the falsehood of the story set up by the Master, to account for his situation at the time of capture, was clearly detected, and the Commissioners at Sierra Leone came to the conclusion, that he was approaching the Coast of Africa, to the northward of the Line, for the purpose of engaging in the traffick in slaves, in places where that trade was not permitted, in violation of the Treaties subsisting between this Country and Brazil, and they accordingly proceeded to condemn the ship and cargo.

On the trial of the case, the Master swore, that he did not know what cargo was necessary to trade in slaves to the north of the Line, as he had only been

engaged in voyages to the southward. This statement was proved to be wholly false, as the very year before he had been found trading in the Bight of Benin to the northward, in a ship, called the "*Trajano*," which had been detained and condemned. And it is now stated by the Chevalier de Mattos, that it was the intention of the Master to enter the Port of Lagos, although he had sworn at Sierra Leone, that he intended to proceed to Prince's Island, for the purpose of repairing the alleged damage of the mast, and was actually steering for that place, when he was captured. Additional proofs have been thus afforded, if any were wanting, of the bad faith with which the transaction has been altogether conducted.

Upon a review of the whole of the circumstances of this case, there can be no doubt, that the object of the voyage was the illicit traffick in slaves to the northward of the Line; and the Undersigned has accordingly to state to the Chevalier de Mattos, that, with reference to the principles which have been acted upon in other cases, and for the reasons stated in the correspondence which has already passed upon that subject, His Majesty's Government, although they must remind the Chevalier de Mattos, that, according to the Treaty, the decision of the Commission is final, with an exception which does not apply to this case, are furthermore of opinion, that, according to the evidence stated, the sentence condemning the ship and cargo, was correct and proper, and that the Owners are not entitled to compensation for the loss occasioned by the capture and condemnation of the "*Esperanza*," and of her cargo.

The Undersigned avails himself, &c. &c.

The Chevalier de Mattos,
&c. &c. &c.

(Signed) PALMERSTON.

No. 35.

Viscount Palmerston to the Chevalier de Mattos.

Foreign Office, December 10, 1830.

THE Undersigned, &c. has the honour to acknowledge the receipt of the note, which, under date of the 28th of May last, was addressed to His Majesty's Principal Secretary of State for Foreign Affairs, by the Chevalier de Mattos, &c. complaining of the illegal capture and condemnation of the Brazilian vessel "*Voadar*," and of the cruel conduct of the Captor, Mr. G. W. Matson, of His Majesty's ship "*Clinker*," and urging that compensation should be made to the Owners of the "*Voadar*," under a Commission to be named by the two Governments.

The correspondence upon this case having been submitted to His Majesty's Advocate-General, the Undersigned has to acquaint the Chevalier de Mattos, in accordance with his report, that the vessel was found fitted up as a slave-ship; that the avowed object of her voyage was a trade in slaves; and that she was evidently pursuing that object to the northward of the Equator, contrary to the Treaty and her Passport, at the time of her capture.

Under these circumstances, the sentence, condemning the ship and goods, would be defensible even upon its own merits, as being in entire accordance with the principles already explained in detail in the correspondence which has past between the British and Portuguese, and Brazilian Governments on other cases of the same nature. But, independently of this, the Undersigned begs to recall to M. de Mattos's recollection, that the condemnation of the ship "*Voadar*" was pronounced by a tribunal, whose decisions are declared, by the 8th Article of the Additional Convention of the 28th of July 1817, between Great Britain and Portugal, to be without appeal, with an exception not applicable to the present case.

Under these circumstances His Majesty's Government feel it impossible

to admit the claim of the Owners of the "*Poador*" to indemnity for the losses occasioned to them by the capture; but they will not fail to cause further enquiry to be made into the circumstances, which led to the engagement, in which the lives of so many individuals were sacrificed, and acquaint the Chevalier de Mattos with the result of that enquiry, so soon as an answer shall have been returned to it.

The Undersigned, &c.

The Chevalier de Mattos,
&c. &c. &c.

(Signed) PALMERSTON.

No. 36.

Viscount Palmerston to the Chevalier de Mattos.

Foreign Office, December 10, 1830.

THE Undersigned, &c. has the honour to acknowledge the receipt of the note, which, under date of the 18th of May 1830, was addressed to His Majesty's Secretary of State for Foreign Affairs by the Chevalier de Mattos, &c., urging the appointment of a Special Commission, for ascertaining what amount of damages, beyond those already awarded by His Majesty's Commissioners at Sierra Leone, should be further awarded to the Owners of the Brazilian vessel "*Vencedora*," for her illegal detention by Captain Owen, of His Majesty's ship "*Eden*."

This case having been submitted to the proper Law Officer of the Crown, the Undersigned, in accordance with the opinion expressed by that Officer, has to refer the Chevalier de Mattos, on the subject, to the 8th Article of the Additional Convention of the 28th of July 1817, in which it is expressly stipulated, that the decisions of the Commissioners shall be without appeal, excepting only under circumstances not applicable to the present case.

Referring to this Article, the Chevalier de Mattos will at once perceive, that His Majesty's Government have no choice, but to decline compliance with this request.

The Undersigned, &c.

The Chevalier de Mattos,
&c. &c. &c.

(Signed) PALMERSTON.

No. 37.

Viscount Palmerston to the Chevalier de Mattos.

Foreign Office, December 10, 1830.

HIS Majesty's Government have had under their consideration the note which was addressed, on the 4th of September 1830, to His Majesty's Secretary of State, by the Chevalier de Mattos, &c., claiming indemnification for the Owners of the vessel "*Dez de Fevreiro*," condemned by the Mixed Commission at Sierra Leone, upon a charge of illegal slave-trade.

The letter addressed by Mr. Secretary Canning, on the 28th of April 1825, to M. de Villa Real, on the subject of a claim to indemnity, at that time preferred on behalf of the Owners of the "*Dez de Fevreiro*," and cargo, appears to His Majesty's Government to contain a complete answer to the demand; and the Undersigned, &c. has only, therefore, to refer the Chevalier de Mattos to that letter, of which he encloses a copy, in reply to the demand again urged by the Chevalier de Mattos upon this case.

The Undersigned avails himself, &c.

(Signed) PALMERSTON.

The Chevalier de Mattos,
&c. &c. &c.

No. 38.

*Viscount Palmerston to the Chevalier Mattos.**Foreign Office, December 10, 1830.*

THE Undersigned, &c. has to acknowledge the receipt of the note, which, under date of the 4th of September 1830, was addressed to His Majesty's Secretary of State for Foreign Affairs, by the Chevalier de Mattos, &c. urging in favour of the Owners of the Brazilian vessel, the "*San Joao Voador*," an indemnification beyond the amount awarded to them by the Commission at Sierra Leone, and suggesting that the amount thereof shall be settled by a Special Commission to be named for that purpose.

This case having been submitted to the proper Law Officer of the Crown, the Undersigned, in accordance with the opinion expressed by that Officer, has to refer the Chevalier de Mattos on the subject, to the 8th Article of the Additional Convention of the 28th of July 1817, in which it is expressly stipulated, that the decisions of the Commissioners shall be without appeal, excepting only under circumstances not applicable to the present case.

Referring to this Article, the Chevalier de Mattos will at once perceive, that His Majesty's Government have no choice, but to decline compliance with his request.

The Undersigned avails himself, &c.

(Signed) PALMERSTON.

The Chevalier de Mattos,
 &c. &c. &c.

No. 39.

*Viscount Palmerston to the Chevalier de Mattos.**Foreign Office, December 10, 1830.*

THE Undersigned, &c. has to acquaint the Chevalier de Mattos, &c. that His Majesty's Government have had under consideration the note, which was addressed on the 4th of September 1830, to His Majesty's Principal Secretary of State, by the Chevalier de Mattos, adducing arguments in support of a claim for indemnification in favour of the Owners of the vessels, "*Minerva*," "*Cerquiera*," and "*Creola*," on account of their having been detained for illegal slave-trade.

It appears on a reference to former papers on the subject, that in the year 1828, the Viscount d'Itabayana addressed a note to the Earl of Aberdeen, claiming from His Majesty's Government, upon the ground therein stated, indemnity for the Owners of those 3 vessels for the losses occasioned by their seizure and detention, and that the Secretary of State replied to this note, by a letter, dated the 10th of March 1829, in which, after adverting to the general circumstances, which were the same in each case, his Lordship stated the reasons upon which he found himself "bound to declare, that he could not accede to the demand which was made for compensation."

The arguments now adduced by the Chevalier de Mattos appear to be the same in substance and effect as those formerly urged by the Viscount d'Itabayana; and the Undersigned begs to refer the Chevalier de Mattos to the former correspondence upon this subject, acquainting him, at the same time, that, after a reconsideration of the case, His Majesty's Government do not see any reason to differ from the opinion, above recorded, of His Majesty's Secretary of State.

The Undersigned avails himself, &c.

(Signed) PALMERSTON.

The Chevalier de Mattos,
 &c. &c. &c.

No. 40.

*Viscount Palmerston to the Chevalier de Mattos.**Foreign Office, December 10, 1830.*

THE Undersigned, &c. has to acknowledge to the Chevalier de Mattos, &c. the receipt of the note which was addressed by him, on the 4th of October, to His Majesty's Principal Secretary of State for Foreign Affairs, requesting that the Mixed British and Brazilian Court of Commission established at Rio de Janeiro, under the Slave-trade Convention of the 23d of November 1826, may be dissolved by the end of December 1830, and that the Mixed Commission established at Sierra Leone may be dissolved by the 30th of June 1831.

The subject of this note has been taken into consideration by His Majesty's Government.

It appears, however, that the dissolution of British and Brazilian Mixed Commission Courts, at the periods suggested by the Chevalier de Mattos, would necessarily be productive of much and serious inconvenience.

The open trade in slaves being now no longer permitted to the subjects of Brazil, it is to be expected that, for some time to come, recourse will be had by illegal slave-traders to every species of stratagem, for the purpose of securing to themselves a continuance of so lucrative a traffick. Many captures, therefore, of Brazilian slave-ships may probably take place. Some considerable time will still elapse before arrangements can finally be made for the constitution of tribunals, for exercising criminal jurisdiction on cases of piracy under the provisions of the Treaty, and it is absolutely necessary that, in the mean time, some Courts should be in existence, with power to decide upon the cases of such Brazilian ships as may be captured in the interval, otherwise the unfortunate individuals on board may remain for an indefinite period uncertain of their fate.

Under these circumstances, His Majesty's Government feel it impossible, as yet, to fix the period, at which it may be expedient to dissolve the Mixed Commission Courts at present subsisting under the Convention with Brazil, of November, 1826.

The Undersigned avails himself, &c.

(Signed) PALMERSTON.

The Chevalier de Mattos,
 &c. &c. &c.

No. 41.

A. Aston, Esq. to the Earl of Aberdeen.—(Received December 16.)

MY LORD,

Rio de Janeiro, October 9, 1830.

I HAVE the honour to transmit to your Lordship copies of a correspondence which has taken place with Mr. Consul-General Pennell, acting as British Commissary Judge, relative to the case of the Brazilian slave-vessel "*Eliza*," now before the Mixed Commission.

The circumstance of the departure of the "*Eliza*" from Pernambuco, on the 5th of February of the present year, which is stated in the Register of the British Consul at that port, joined to the facts contained in the deposition of the British sailor, at present on board His Majesty's ship "*Volage*," appear to afford sufficient proof of the illegality of the transaction.

The proceedings of the Mixed Commission have lately been suspended, in consequence of the resignation of the Brazilian Commissary Judge. The nomination of his successor has not as yet been officially announced, but I understand it will take place in the course of a few days.

I have, &c.

(Signed)

ARTHUR ASTON.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

First Enclosure in No. 41.

W. Pennell, Esq. to A. Aston, Esq.

SIR,

Rio de Janeiro, September 17, 1830.

WITH reference to our conversation respecting the cases of the 2 vessels named in the margin ("*Eliza*" and "*Feliz Mariana*"), seized in this harbour with slaves on board, and referred, by order of the Brazilian Government, to the Judge of Contraband, I have the honour to inform you, that, on the 14th instant, when I attended at the Mixed Commission, I found a petition from the Owner and Consignee of the above-named vessels, addressed to the Judges thereof, praying that the case might be tried by that tribunal, in place of its being tried by the Judge of the Contraband.

My Brazilian Colleague recommended that we should address ourselves to the Government in the first instance, with a view to its sanction and support. My opinion was, that we should accede to the petition in the usual form, grounding it on Article 4 of the Alvará of January, 1818. My Colleague acquiesced in this opinion, and the prayer of the petitioner was immediately granted in the usual Brazilian form.

I shall be very desirous, before the merits of the case come before me as Judge, to receive your opinion touching any anterior proceedings that my position may require, with a view to their propriety and legality.

I have, &c,

(Signed) W. PENNELL, Consul-General and
Acting Commissary Judge.

A. Aston, Esq.
.&c. &c. &c.

Second Enclosure in No. 41.

A. Aston, Esq. to W. Pennell, Esq.

SIR,

Rio de Janeiro, September 28, 1830.

UNDERSTANDING that the case of the Brazilian vessel "*Eliza*," detained by order of this Government, under suspicion of an illicit traffick in slaves, has been submitted to the consideration of the Mixed Commission as established by Treaty, I think it right to put you in possession of certain facts connected with the case which have come to my knowledge, and which, if substantiated, must have a material influence upon your final decision.

It appears that a Brazilian barque, of about 220 tons burthen, called "*Eliza*," arrived at Pernambuco, from the Bay of Lourenço Marquez, on the 3d of January 1830, and that she again sailed from that port for Mozambique, on the 5th of February following, commanded by Antonio Jozé d'Oliveira.

By a portaria of the Brazilian Minister of Marine, dated October 1, 1829, it was publicly made known, that no passport would be granted by the Government to vessels employed in the slave-trade, subsequent to the 15th of November of the same year. It appears, therefore, that the "*Eliza*" must have sailed from Pernambuco without the necessary license, or that the Owners have fraudulently availed themselves of the passport obtained for the previous voyage.

Moreover it is scarcely possible, that the vessel could have reached Mozambique upon the 13th of March, much less have sailed again with a cargo within that period.

I have likewise been informed, and upon such authority as induces me to credit the correctness of the statement, that the "*Eliza*," upon arriving, in the first instance, on the Coast of Africa, received a part of her cargo from another Brazilian vessel, the "*Lavinia*," and afterwards ran down the coast, in order to complete her cargo.

The circumstance also of the "*Eliza*," which sailed from Mozambique on the 5th of February, not having returned to that port on the 9th of July,

affords an additional reason for suspecting that the vessel, whose case is now under examination, will prove to be the same.

In submitting these remarks to your consideration, I have to add, that, if necessary, evidence can be produced in corroboration of the above facts.

I have, &c.

W. Pennell, Esq.
&c. &c. &c.

(Signed)

ARTHUR ASTON.

Third Enclosure in No. 41.

W. Pennell, Esq. to A. Aston, Esq.

SIR,

Rio de Janeiro, October 2, 1830.

I HAVE the honour to acknowledge the receipt of your despatch of the 28th ultimo, communicating most essential facts, respecting the case of the barque "*Eliza*," detained under suspicion of illegal traffick in slaves, and which is now before the Mixed Commission for adjudication, and I have to request that you will have the goodness to furnish me with such documents as you may possess, or can obtain, touching those alleged facts, in order that I may communicate with the Brazilian Commissary Judge, as to any measures which the existence or production of such documents may require us to adopt.

I have, &c.

A. Aston, Esq.
&c. &c. &c.

(Signed)

W. PENNELL.

Fourth Enclosure in No. 41.

A. Aston, Esq. to W. Pennell, Esq.

SIR,

Rio de Janeiro, October 5, 1830:

IN acknowledging the receipt of your letter of the 2d instant, I have the honour to transmit to you, herewith enclosed: 1st the deposition of a sailor now on board His Majesty's ship "*Volage*," wherein he makes oath, that the bark "*Eliza*" was lying in the Harbour of Mozambique about the end of last May, taking in a cargo of slaves. 2dly, an extract from the register of the British Consul at Pernambuco, containing the dates of the arrival at that port of the "*Eliza*," and her subsequent departure, Feb. 5, of the present year, together with the names of the Commanders on both those occasions.

I have, &c.

W. Pennell, Esq.
&c. &c. &c.

(Signed)

ARTHUR ASTON.

Fourth Enclosure (A.) in No. 41.

Deposition of William Dunlop.

I, WILLIAM DUNLOP, an English seaman, belonging to His Majesty's ship "*Volage*," now at anchor in the Port of Rio de Janeiro, do voluntarily make oath, that I sailed from the Port of Mozambique in the brig "*Esperança*," about the end of the month of May last, at which time the bark "*Eliza*," which arrived at this port on the 6th of last month, with a cargo of slaves, was lying in the harbour of Mozambique lashed along-side a ship under Brazilian colours, taking on board a cargo of slaves.

His

WILLIAM × DUNLOP.

Mark

Sworn before me, at Rio de Janeiro, this 2d day of October, 1830.

(Signed)

R. PENNELL, Vice-Consul.

Fourth Enclosure (B.) in No. 41.

*Extract from the Register of His Majesty's Consul at Pernambuco.
Slave-trade.*

ARRIVED.

Date of Arrival.	Description. — Brazilian Flag.	Name of Vessel.	Name of Commander.	Where from.	Slaves Embarked.	Slaves Died.	Slaves Arrived at Port.
1830. Jan. 3.	Bark.	Eliza.	{ Jozé da Silva } { Uzequia - }	{ Bahia de } { Lourenço } { Marquez. }	534	11	523

SAILED.

Date of Sailing.	Description. — Brazilian Flag.	Name of Vessel.	Name of Commander.	Where bound to.	Slaves Embarked.	Slaves Died.	Slaves Arrived at Port.
1830. Feb. 5.	Bark.	Eliza.	{ Antonio Jozé } { D'Oliveira. }	Mozambique.	"	"	"

A true Copy.

(Signed)

ARTHUR ASTON.

No. 42.

A. Aston Esq. to the Earl of Aberdeen.—(Received December 16.)

MY LORD,

Rio de Janeiro, October 30, 1830.

HAVING been informed that the Brazilian merchants engaged in the slave-trade, had it in serious contemplation to attempt to carry on that traffick under the flag of the Argentine Republick, as a means of evading, if captured, the penalty of piracy, I mentioned the subject to General Guido, and suggested the propriety of some measures being adopted by his Government, in order to prevent this project from being carried into effect.

General Guido readily undertook to urge his Government to issue a declaration, prohibiting the use of the national flag for purposes connected with the commerce in slaves, and I have now the honour to enclose to your Lordship extracts of 2 despatches, which that Minister has in consequence addressed to the Government of Buenos Ayres.

I have, &c.

(Signed)

ARTHUR ASTON.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

First Enclosure in No. 42.

(Translation.)

General Guido to the Minister for Foreign Affairs of the Government of Buenos Ayres.

(Extract.)

Rio de Janeiro, June 15, 1830.

THE expiration of the term stipulated by the Treaty of England with Brazil, for the traffick of negroes of the Coast of Africa, has awakened the ambition of some speculators, who are preparing to continue it, by availing themselves of means not prohibited, nor comprised in the agreements made between the nations which have co-operated towards the extinction of this abominable commerce.

Amongst the plans about to be put into practice, one is to nationalize some vessels in the Argentine Republick, and make use of them in getting Negroes from Africa, and conveying them to this market, where their price is much increased, or to any other of the colonies where the speculation would be profitable.

Those who have thus calculated consider themselves secure under the Republican flag, or at least safe from incurring the punishment of piracy awarded against this traffick, in consequence of there existing no Treaty whatever between the Empire and the Republick, which might prevent it; but as the flag of the Republick, under whose protection numerous countries of the new continent have shaken off the yoke of slavery, ought not to afford a shelter to a traffick so inhuman and opposed to Christianity; the Undersigned hastens to communicate the same to his Government, through his Excellency the Minister, in order that a solemn declaration (if it be thought proper) may completely frustrate the projected plan, and prove to the world, that the Argentine Republick, united to refined nations by the elementary principles of civilisation, considers itself bound to abolish the slave-trade, no less *by them* than by the formality of Treaties.

The Undersigned, &c.

(Signed)

TOMAS GUIDO.

*His Excellency the Minister for Foreign Affairs
of the Government of Buenos Ayres.*

Second Enclosure in No. 42.

(Translation.)

General Guido to the Minister for Foreign Affairs of the Government of Buenos Ayres.

(Extract.)

Argentine Legation, Rio de Janeiro, June 17, 1830.

THE Undersigned had the honour to communicate to his Excellency the Minister, on the 15th instant, and in No 11, that certain merchants of this city were preparing to continue the slave-trade on the Coast of Africa, in ships bearing the colours of the Argentine Republick. The Undersigned is since convinced, that notwithstanding the express text of the 14th Article of the Treaty of the 2d of February 1825, between His Britannick Majesty and the United Provinces, the same idea is insisted upon, in the hopes of being able to elude its effects, in the same manner in which the privateers eluded it during the late war under the Republican flag; and as the consequences of such an abuse would be prejudicial to the interests of the State, the Undersigned renews this advice, in order that his Government may adopt that measure which it may consider requisite, without preventing the Undersigned from making known by those means which are within his reach, the error upon which such a speculation is founded.

The Undersigned, &c.

(Signed)

TOMAS GUIDO.

*His Excellency the Minister for Foreign Affairs
of the Government of Buenos Ayres.*

No. 43.

*Viscount Palmerston to the Chevalier de Mattos.**Foreign Office, December 22, 1830.*

THE Undersigned, &c. has the honour to acquaint the Chevalier de Mattos, &c. that His Majesty's Government have had under consideration the note addressed by the Chevalier de Mattos, on the 6th of April 1830, to His Majesty's Secretary of State, adducing fresh arguments in support of the claim for indemnification, which had already been brought by the Viscount d'Itabayana in favour of the Owners of the "*Bahia*" "*Carlota*," "*Trajano*," and "*Independencia*," detained and condemned at Sierra Leone, and which claim was negatived by the Earl of Aberdeen in his note of the 10th of March 1829, addressed to the Viscount d'Itabayana.

The Undersigned has the honour to acquaint the Chevalier de Mattos, that the arguments now adduced by M. de Mattos do not appear in any degree to vary the case, and, therefore, do not allow His Majesty's Government to take any other course, than that of referring him to the previous correspondence which has passed on this subject between the Governments of Great Britain and Brazil, and to add, that His Majesty's Government do not see any reason to differ from the opinion expressed by the Earl of Aberdeen on these cases, in his letter to M. d'Itabayana of the 10th of March 1829.

The Undersigned avails himself, &c.

The Chevalier de Mattos,
&c. &c. &c.

(Signed) PALMERSTON.

No. 44.

*Viscount Palmerston to the Chevalier de Mattos.**Foreign Office, December 28, 1830.*

THE Undersigned, &c. has the honour to acquaint the Chevalier de Mattos, Chargé d'Affaires from His Majesty the Emperor of Brazil, that His Majesty's Government have had under their consideration the note which was addressed, on the 2d of October, 1830, by the Chevalier de Mattos to His Majesty's Secretary of State, urging the claim of the Owner of the Brazilian vessel "*Principe de Guine*," to an indemnity for the losses which he had sustained by the capture and condemnation of that vessel in the Mixed Commission Court at Sierra Leone.

In reply, the Undersigned begs to recall to the recollection of the Chevalier de Mattos, that the vessel, of the capture of which he complains, was, as he himself admits, condemned by the Commissioners appointed under the Convention of the 28th of July 1817, between Great Britain and Portugal, confirmed by the Convention of the 23d of November 1826, between Great Britain and Brazil.

The Undersigned begs also to remind the Chevalier de Mattos, that, by the 8th Article of the same Convention, the decisions of those Commissioners are declared to be final.

Under these circumstances the Undersigned is compelled to state, in reply to the Chevalier de Mattos, that he does not feel himself justified in attempting to disturb the decree, of which the Chevalier de Mattos complains; and still more is he discouraged from the attempt, by the fact, that, whether or not, there was any informality in the instructions under which the Commander of the capturing vessel acted, the vessel captured was not only employed for the illicit conveyance of slaves, but that, at the time of capture, 608 of these unhappy beings were actually on board.

The Chevalier de Mattos,
&c. &c. &c.

The Undersigned, &c.
(Signed)

PALMERSTON.

BRAZIL. (Consular.)—Rio de Janeiro.

No. 45

W. Pennell, Esq. to the Earl of Aberdeen.—(Received March 24.)

MY LORD,

Rio de Janeiro, January 25, 1830.

I HAVE the honour to enclose you a return of the number of slaves imported into this city, from July 1st to December 31st, 1829.

I have, &c.

(Signed)

WM. PENNELL, Consul-General.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 45.

Return of the Number of Slaves Imported into this City of Rio de Janeiro, from July 1st to December 31st, 1829.

NAME OF VESSEL.	Country.	NAME OF COMMANDERS.	Where from.	Number of Slaves shipped.	Number of Slaves died at Sea.	Place from whence the Voyage began.
Dessengano -	Brazilian	Joao Viana - - -	Benguella -	520	49	Rio de Janeiro.
Seis de Fevereiro -	"	Jozé Fre. dos Santos -	Angola -	279	33	"
Torcato -	"	Victor Roberto -	Cabinda -	277	5	"
Restaurador -	"	Luiz de C. Ferreira -	Ditto -	564	66	"
Isamenia -	"	Joao A. de Silve -	Molembo -	250	5	"
Economia -	"	F. E. C. Caldas -	Benguella -	371	39	"
Ulisses -	"	Jm. de S. Arango -	Angola -	647	67	"
Julia -	"	Jte. de Souza Neves -	Molembo -	207	"	"
Penha -	"	Anto. F. d'Oliveira -	Ambriz -	208	18	"
Maria Thereza -	"	- - - -	{ Lourenço } { Marquez }	282	45	"
Seis de Fevereiro -	"	Jm. Leo. Branco -	Rio Zaire -	203	10	"
Velha de Dio -	"	J. Ao. Texeira -	Ditto -	324	2	"
General Rego -	"	A. T. de Azevedo -	Ambriz -	49	4	"
Suzana -	"	J. F. de Cunha -	Angola -	420	30	"
Dois Itmaes -	"	B. J. Maria -	Zaire -	320	23	"
Urania -	"	J. M. Ferreira -	Angola -	327	30	"
Primavera -	"	Germo. L. de Silva -	Benguella -	286	13	"
Amizade -	"	F. Anto. de Medeiros -	Angola -	514	36	"
Loteria -	"	Anto. Jm. Soares -	Molembo -	159	"	"
Invençivel -	"	J. M. da Conceição -	Ambriz -	317	33	"
Imperador do } Brazil -	"	Joao Gomes -	Cabinda -	468	8	"
Mercantil -	"	Luiz Jozé Maria -	Molembo -	180	8	"
Enilia -	"	G. J. de Faria -	Angola -	405	44	"
Estrella do Rio -	"	Anto. Gomez da Rosa -	Cabinda -	297	10	"
Fluminense -	"	- - - -	{ Lourenço } { Marquez }	674	3	"
Imperador Feliz -	"	Marto. Jozé Baptista -	Cabinda -	430	11	"
Altivo -	"	Mal. Ribro. do Amoral -	Ambriz -	645	43	"
Tejo -	"	L. de Q. Monteiro -	Benguella -	566	30	"
Dido -	"	Ml. de Jesus Faria -	Cabinda -	428	5	"
Mariantha -	"	J. A. G. Perfeito -	{ Lourenço } { Marquez }	558	20	"
General Saldanha -	"	F. P. Carneiro -	{ Cabinda & } { Molembo }	385	80	"
Amazona -	"	Jozé Rodriguez -	Ambriz -	390	34	"
Paula -	"	Anto. Theo. dos Santos -	Angola -	551	30	"
Hermelinda -	"	Caño. dias da Silva -	Ditto -	551	47	"
Feliz Unhao -	"	Grano. dos Santos -	Rio Zaire -	473	10	"
Caçador -	"	Manl. J. de Cruz -	Ambriz -	308	5	"
Leopado -	"	Henrqu. Jozé Pestana -	Benguella -	441	34	"
Primoroso Divino -	"	Jozé F. de Oliveira -	Angola -	455	57	"
Poliphemo -	"	Jm. Gervazio -	Mozambique -	430	34	"
Novo Commer- } ciante -	"	Joaq Militao Henriques -	Quilimane -	550	76	"

(Continued.)

Enclosure in No. 45, continued.

NAME OF VESSEL.	Country.	NAME OF COMMANDERS.	Where from.	Number of Slaves shipped.	Number of Slaves died at Sea.	Place from whence the Voy- age began
Industria - - -	Brazilian.	Jozé Simoes da Fonseca	Mozambique -	600	33	Rio de Janeiro.
Amalia - - -	"	Jozé Ferra. Maia -	{ Lourenço Marquez }	800	17	"
Carolina - - -	"	Ml. Jozé de Barros	Ambriz -	306	10	"
Amizada de Santos - - }	"	Jozé Pedro dos Santos	Cabinda -	324	4	"
Desanove de Março - - }	"	Jozé Maria Façao -	Mozambique -	638	97	"
Ligeiro - - -	"	Anto. Jm. de Oliveira	Cabinda -	375	4	"
Timta de Março	"	Ly. Jozé Soares Pinheiro	Quilimane -	602	35	"
Maravilha - -	"	Fco. da Paula Nery -	Cabinda -	245	4	"
Maria Segunda	"	{ Fco. Perra. Nunez Madruga - - }	Mozambique -	297	87	"
Formusura - -	"	Anto. Jozé Bendizo -	Quilimane -	658	71	"
Poderoso - -	"	Gaspar Francisco -	Cacondo -	528	28	"
Brilhante - -	"	Fco. de Paula Ferreira	Cabinda -	443	2	"
Ozires - - -	"	- - - -	Angola -	331	55	"
Cometa - - -	"	Jozé de Mozaes -	Cabinda -	494	11	"
Santa Rosa - -	"	Jozé Me. de Costa -	Ditto -	430	2	"
Total				22,813	1,557	

Rio de Janeiro, January 2, 1830.

(Signed)

WM. PENNELL, Consul-General.

No. 46.

W. Pennell, Esq. to the Earl of Aberdeen.—(Received June 14.)

MY LORD,

Rio de Janeiro, April 6, 1830.

THE importance, attached by His Majesty's Government to any thing connected with the slave-trade, induces me to enclose copies of my correspondence respecting the English barque "Numa," the Captain of which was condemned at the Cape of Good Hope in a penalty of £500: to pay this penalty he was obliged to sell part of his cargo. These facts having come to the knowledge of the Judge of the Custom-House, he appears disposed to treat the Captain with great severity; double duties are demanded on that part of his cargo, which was sold at the Cape of Good Hope, and the delay, which this demand has already produced, has been tantamount to the imposition of another penalty.

The "Sir Francis Burton," Captain A. Reid, lately arrived here from Bombay and Goa, had also on board 5 domestick blacks, belonging to passengers. This, I believe, is a similar case to that of the "Numa;" but, as I have no conclusive proof, I have only admonished the Captain (who professes ignorance) of the penalty, to which the conveyance of slaves, even under such extenuating circumstances, makes him liable. The law on this subject appears to me too severe, and the separation, to which it tends, of domestick slaves from their Masters, injurious to both; it is also detrimental to our shipping interest, and may often cause the loss of a charter to the British flag. As the legal importation of slaves into this country will soon cease, it may be worthy your Lordship's consideration, whether that event may not afford an opportunity of mitigating the present law, with regard to domestick slaves, who accompany their Masters *solely* for domestick purposes.

This suggestion arises not only from these two cases, but also from the

inconvenience, which frequently occurs from the present restriction, as applicable to the intercourse in British vessels between this port, Bahia, Pernambuco, &c. &c., a restriction, I believe, not necessary for the main object contemplated by His Majesty's Government.

I have, &c.

(Signed)

W. PENNELL, Consul-General.

The Right Hon. the Earl of Aberdeen, K.T.

&c.

&c.

&c.

First Enclosure in No. 46.

W. Pennell, Esq. to the Judge of the Custom-House.

SIR,

Rio de Janeiro, March 31, 1830.

I HAVE the honour to inform your Excellency, that the English barque "Numa" was in a state of distress at the Cape of Good Hope, and that, in order to obtain money for the purpose of pursuing her voyage, the Captain was obliged to sell part of his cargo, consisting of rice. He now represents to me, that he is detained in this harbour at a great expense, in consequence of a claim for double duties (amounting to R^s 3,596\$400) on the quantity of rice so sold, under the operation of a law intended to prevent a fraudulent evasion of the Custom-house duties.

Being persuaded, that this is a *bond fide* case of distress, and that no fraud has been in contemplation, I take the liberty of recommending it to your favourable consideration, persuaded also, that it does not come within the true meaning of any penal law, still less within the intention of His Imperial Majesty's Government, to inflict a penalty, if the truth of what I have represented be proved to the satisfaction of your Excellency.

I avail myself of this occasion, &c.

(Signed)

WM. PENNELL, Consul-General.

His Excellency the Counsellor Lucio Soares Teixeira de Gounea,

&c.

&c.

&c.

Second Enclosure in No. 46.

(Translation.)

The Judge of the Custom-House to W. Pennell, Esq.

Rio de Janeiro April 1, 1830.

I HAVE the honour to acknowledge the receipt of your letter of the 31st of March last, regarding the barque "Numa," and I hasten to inform you, that I decided upon that business in the light in which it struck me was correct; but it is not unknown, that this vessel entered the Cape of Good Hope in distress, and that a great portion of the sum received there was applied to pay the fine, in consequence of slaves for illicit commerce having been found on board. This business is, however, before His Imperial Majesty's Government, to whom it has been represented by the Captain.

I am, therefore, waiting orders from the Government respecting it; which is all the information I can now give you.

I am, &c.

(Signed)

LUCIO SOARES TEIXEIRA DE GOUNEA.

Wm. Pennell, Esq.

&c. &c. &c.

Third Enclosure in No. 46.

W. Pennell, Esq. to the Judge of the Custom-House.

SIR,

Rio de Janeiro, April 2, 1830.

I HAVE the honour to acknowledge the receipt of your Excellency's despatch of yesterday's date, respecting the English barque "Numa." Your

Excellency having adverted to the fine imposed on this barque at the Cape of Good Hope, for having slaves on board, makes me apprehend, that this acknowledged fact may have influenced your Excellency to regard the Captain's present position with unusual severity. I take the liberty, therefore, of stating, that he (the Captain) without the intention of violating any law, took on board several gentlemen as passengers, with their black domesticks, and conveyed them from Macao to the Cape of Good Hope; where, on a minute investigation, it was proved, that 5 of these black domesticks were slaves, and in consequence the penalty of the law was inflicted, amounting to £500., which fine, with incidental expenses and demurrage, involved a loss of £1,300.

The Captain, therefore, representing the Owners of the barque, may be considered as a victim, almost as an innocent victim, to the severity of the English laws touching the slave-trade, and of their strict execution; but it surely ought not to operate to his prejudice as regards the payment of Custom-house duties in this country.

In giving this additional explanation, I beg leave to assure your Excellency, that had the Captain's conduct, as regards the slave-trade, been such as ought to have weighed with the Imperial Government, in the present question, I should not have deemed it my duty to have requested your Excellency's favourable consideration of his case.

I have, &c.

(Signed)

WM. PENNELL, Consul-General.

His Excellency the Counsellor Lucio Soares Teixeira de Gounea.

&c.

&c.

&c.

Fourth Enclosure in No. 46.

W. Pennell, Esq. to A. Aston, Esq.

SIR,

Rio de Janeiro, April 2, 1830.

I HAVE the honour to enclose copies of my correspondence with the Judge of the Custom-house, respecting the demand on the Captain of the British barque "Numa," of 30 per cent. duties on rice, which he was obliged to sell at the Cape of Good Hope, and to request your good offices with the Brazilian Government in his behalf. I beg to call your attention to the allusion made by the Judge of the Custom-house to the slave-trade, and to the fine paid by the Captain at the Cape of Good Hope. If the allusion be not totally irrelevant, it may be urged in his favour, in as much as his pecuniary punishment has already been greater than the law intended, and more than commensurate to the crime—a crime in the eye of the law, but which almost loses its name amidst so many extenuating circumstances.

I have, &c.

(Signed)

WM. PENNELL, Consul-General.

Arthur Aston, Esq.

&c. &c. &c.

No. 47.

W. Pennell, Esq. to the Earl of Aberdeen.—(Received July 6.)

MY LORD,

Rio de Janeiro, April 20, 1830.

TWO Brazilian vessels of war have recently arrived here from the Coast of Africa, having under their convoy 4 slave-vessels with 1,734 slaves; other slave-vessels are also arriving without convoy.

Advices of March 6th from Cabinda state, that the price of slaves had fallen within a short period, in the proportion of 120 to 30, and that after the 13th March they would be almost valueless. This fall makes the abolition

and the *abolitionists* very unpopular amongst the chiefs, and the traffickers on the coast. The apprehension of pirates (and perhaps of detention by English cruizers at a period of suspicion) made the Slave Captains very anxious to leave the coast under convoy. The price of slaves is advancing in this market.

These facts indicate, that the trade will be immediately and generally abandoned by those who are at present engaged in it; but anticipations are entertained, that the abandonment will not be permanent, and that devices will be successfully employed, principally by new speculators, to evade the law, as well as to frustrate the precautions of His Majesty's Government.

I have, &c.

(Signed)

WM. PENNELL, Consul-General.

The Right Hon. the Earl of Aberdeen, K.T.

&c.

&c.

&c.

No. 48.

The Right Hon. the Earl of Aberdeen to W. Pennell, Esq.

SIR,

Foreign Office, August 31, 1830.

I RECEIVED and transmitted, for the consideration of the Lords of His Majesty's Treasury, your communication of the 6th of April, containing observations on the legislative enactments, at present in force respecting domestick slaves, and suggesting that alterations should be made therein, in conformity with the tenour of your observations.

I have now to transmit to you the copy of the answer, which has been returned by His Majesty's Treasury to the observations contained in your letter.

From this answer you will perceive, that, in the opinion of His Majesty's Treasury, it would be inexpedient to relax, by any legislative enactment, the present regulations in regard to the removal of domestick slaves; that these regulations, and perhaps some further additional safeguards, are necessary to prevent the illegal traffick in slaves, and the unlawful removal of them; and, that if the present regulations were relaxed, and British vessels allowed to convey them from Rio de Janeiro, Bahia and Pernambuco, as suggested by you, the intention of the legislature would be defeated, and an opening be made for abuses of the most flagrant nature.

I am, &c.

William Pennell, Esq.

(Signed)

ABERDEEN.

&c. &c. &c.

Enclosure in No. 48.

The Hon. J. Stewart to J. Backhouse, Esq.

SIR,

Treasury Chambers, August 27, 1830.

I AM commanded by the Lords Commissioners of His Majesty's Treasury to transmit to you the enclosed copy of a letter from Mr. Rothery, dated 19th instant, respecting the legislative enactments in regard to domestick slaves; and I am to request you to lay the same before the Earl of Aberdeen, for his Lordship's information.

I am, &c.

(Signed)

J. STEWART.

John Backhouse, Esq.

&c. &c. &c.

Sub-Enclosure in No. 48.

Mr. Rothery to the Right Hon. the Lords Commissioners of His Majesty's Treasury.

MAY IT PLEASE YOUR LORDSHIPS,

IN obedience to your Lordships' commands, I have perused and considered the letter from Mr. Backhouse, together with its enclosures, consisting of the

copy of a letter from Mr. Pennell, His Majesty's Consul-General at Rio de Janeiro, and sundry documents therein referred to, respecting the British ships "Numa" and "Sir Francis Burton." Mr. Backhouse observes, that these documents are transmitted for your Lordships' information, as to the effect of an Act of the British Legislature, in rendering vessels liable to a heavy penalty, for the conveyance, as passengers, of slaves who are domesticks.

It appears, from Mr. Pennell's letter, that the Captain of the English bark "Numa" had been condemned at the Cape of Good Hope in a penalty of £500, to pay which he was obliged to sell part of his cargo; and Mr. Pennell further states, that these facts having come to the knowledge of the Judge of the Custom-house at Rio de Janeiro, he appeared disposed to treat the Captain with great severity; that double duties were demanded on that part of the cargo, which was sold at the Cape of Good Hope, and that the delay, which this demand had already produced, had been tantamount to the imposition of another penalty.

Mr. Pennell proceeds to observe, that the ship "Sir Francis Burton" had lately arrived from Bombay and Goa, and that she had on board 5 domestick blacks, belonging to passengers, and that he believed it to be a similar case to that of the "Numa"; but, as he had no conclusive proof, he had admonished the Captain (who professed ignorance) of the penalty, to which the conveyance of slaves under such extenuating circumstances made him liable; and he says "the law on this subject is too severe, and the separation, to which it tends, of domestick slaves from their Masters, injurious to both; it is also detrimental to our shipping interest, and may often cause the loss of a charter to the British flag." Mr. Pennell then suggests, that it may be worthy of consideration to mitigate the present law with regard to domestick slaves, who accompany their Masters solely for domestick purposes; and Mr. Pennell concludes by observing, that his suggestion arises not only from the two cases of the "Numa" and "Sir Francis Burton," but also from the inconvenience which frequently occurs from the present restriction, as applicable to the intercourse in British vessels between Rio de Janeiro, Bahia, and Pernambuco.

I do most humbly report to your Lordships, that there is not any Act of the British Legislature, which renders vessels liable to penalties for the conveyance of any number of domestick slaves attending his or their Owner or Master, or part of his or their family, to any place whatever, provided the slaves are shipped from places where they may be legally exported, and the regulations for the conveyance of domestick slaves are observed; and the 17th section of 5th Geo. IV. c. 113, points out those regulations, which are as follows, viz.

1st.—The name and occupation of every domestick slave is to be inserted in, or endorsed upon, the clearance or permit, allowing the departure of the vessel.

2dly.—The Master or Owner of the domestick slave is to obtain from the registry of the colony, to which such domestick slave shall belong, an extract certified by the Registrar, shewing such domestick slave to have been duly entered in the slave registry of the colony, which extract and certificate is to be on board the ship or vessel in which such domestick slave or slaves are to be carried; and upon their being landed in any British colony, the extract of such registration and certificate before mentioned is to be produced to the Collector or principal Officer of the Customs, and a copy thereof to be by him delivered to the Registrar of Slaves in that Colony; and if such domestick slaves shall be again removed from the colony, into which they have been so brought, previous to the next period for making returns of slaves therein, the Collector shall, previous to their being embarked, return the original extract and certificate so delivered into his office, to be kept on board the vessel in which such domestick slaves are to be conveyed.

In the event of these regulations not being complied with, the Owners of such domestick slaves, and the Master or other person having charge of the vessel, are each liable to the forfeiture of £100. for every domestick slave so unlawfully taken on board.

With regard to the observation of the Consul-General, that the law on this subject is too severe, I do, with great deference, submit, that it would be very

inexpedient to relax, by any legislative enactment, the present regulations in regard to the removal of domestick slaves. These regulations, and perhaps some additional safeguards, are indispensably necessary, to prevent the illegal traffick in slaves, and the unlawful removal of them;—any relaxation would give parties the opportunity of conveying slaves of other descriptions, thereby committing the greater offence of carrying on the slave-trade, and lessening the means of its detection.

I beg further to observe, that it never has, at any time since the abolition laws have passed, been competent to British vessels to convey slaves from a place, where slavery is not permitted by the laws of this country, and the regulations which it is necessary to comply with, on the removal of domestick slaves, are not adopted with the view of preventing such slaves from accompanying their Owners, but to guard against the improper and fraudulent conveyance of other slaves, who may not be domestick. The present regulations, as I understand, are not sufficiently stringent to prevent their being abused, and instead of relaxing them, as suggested by Mr. Pennell, the Secretary of State for the Colonies, in the bill which he brought into Parliament last Session, (but which did not pass into a law) proposed making further restrictions, in regard to the conveyance of domestick slaves.

Mr. Pennell states the "Sir Francis Burton" to have lately arrived at Rio de Janeiro from Bombay and Goa, with 5 domestick blacks on board, and he believes it to be a similar case to that of the "Numa;" if so, and these persons are slaves, I apprehend there would have been a sufficient breach of the abolition laws to have incurred the penalties, which appear to have been inflicted by the Vice-Admiralty Court at the Cape in the case of the "Numa." Indeed it is difficult for me to comprehend how any slaves could be brought from Bombay, where I apprehend slavery does not exist by law; and if they were taken on board at the Portuguese settlement of Goa, it is one of those cases which, in my humble judgment, the abolition laws were framed to prevent. I further most humbly submit, that if the present regulations for the conveyance of domestick slaves were relaxed, and British vessels allowed to convey them from Rio de Janeiro, Bahia, and Pernambuco, as suggested by Mr. Pennell, the intention of the Legislature, as hitherto manifested, would be defeated, and an opening made for abuses of the most flagrant nature.

With regard to the double duties, which appear to have been demanded by the Brazilian Government for goods sold from the "Numa," at the Cape of Good Hope, in consequence of the vessel having committed a breach of one of the British Acts of Parliament, I am utterly unable to comprehend the grounds, on which such a demand is made or justified, and Mr. Pennell's communications afford no sufficient explanation on this subject.

All which, &c. &c.

(Signed)

WM. ROTHERY.

No. 49.

W. Pennell, Esq. to the Earl of Aberdeen.—(Received September 27.)

MY LORD,

Rio de Janeiro, July 15, 1830.

I HAVE the honour to enclose a return of the number of slaves imported into this city, from the 1st January to the 30th June last.

I have, &c.

(Signed)

W. PENNELL,

Consul-General.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

Enclosure in No. 49.

*Return of the Number of Slaves imported into this City of Rio de Janeiro,
from the 1st of January to the 30th of June 1830.*

NAME of VESSEL.	Country.	NAME of MASTER.	Where from.	Number of Slaves shipped.	Number of Slaves died at Sea.	Place from whence the voyage began.	REMARKS.
Eclipse - - -	Brazilian	Jozé Jm. da Silva - -	Benguella -	254	22	Rio de Janeiro.	
Constante - - -	"	{ Joao Jozé de Azdo. e Mello - - - }	Rio Zaire -	389	1	"	
Borboleta - - -	"	Jozé C. Gomes - -	{ Molem- bo and Bahia }	305	2	"	
D. Manoel de } Portugal - }	Portuguese	Jm. de Salles - - -	Quilimane -	505	9	"	
Volcano - - -	Brazilian	Jozé de Freitas Chaves	Ditto - -	634	14	"	
Luiz de Camoes -	"	Dama. Fca. Lemos -	Benguella -	670	26	"	
Seis de Fevereiro -	"	Fco. de Assis Mendonça	Quilimane -	480	17	"	
Tres Corações - -	"	Dte. Jse. Bernardo -	Angola - -	880	65	"	
Camões - - -	"	Ml. Anto. Vieira - -	Ditto - -	519	62	"	
Novo Activo - - -	"	Jozé Fco. George - -	Ambriz - -	244	7	"	
Vinte-oite de } Março - }	"	{ Jozé Lopes de Cta. Moreira - - - }	Mocambique	517	137	"	
Virginio - - -	"	Ml. Isadora Corrêa -	{ Cocongo and Ba- hia - }	66	"	"	
Novo Industria -	"	Januario Fco. Martins	Inhambane -	594	23	"	
Lucrecia - - -	"	Faustino Jozé de Barros	Ambriz - -	162	21	"	
Novo Athlante - -	"	Jm. Rro. Freire - -	Ditto - -	203	10	"	
Ulysses - - -	"	Jozé Anto. Fco. Lisboa	Cabinda -	535	3	"	
Amizade - - -	"	Jm. Martins - - -	Quilimane -	636	11	"	
Novo Paquete - -	"	Jm. de Souza Fontes -	Inhambane -	623	37	"	
Conde Souzal - -	"	Alexdre. C. A. Monteiro	Mocambique	1,166	123	"	
Triumpho - - -	"	Anto. P. Nunes - -	Bahia - -	166	2	"	
Emilia - - -	"	Jozé Fca. Barras - -	Ditto - -	409	8	"	
Golfinho - - -	"	Jozé Leite de Silva -	Cabinda -	386	7	"	
Zarro - - -	"	Joao Jozé - - -	Quilimane -	559	99	"	
Seis de Fevereiro -	"	Jm. L. Branco - - -	Rio Zaire -	165	"	"	
Victoria - - -	"	Ventura Jse. d'Oliveira	Quilimane -	426	152	"	
Henriqueta - - -	"	{ Fca. Cda. da Sa. Cavalho - - - }	Cabinda -	362	23	"	
Uniao - - -	"	Jozé de Costa - - -	Paranagua -	30	"	"	
Quatro de Abail -	"	Rafael J. da Fca. Lontra	Mocambique	935	182	"	
Minerva - - -	"	Jm. Jozé Machado - -	Bahia - -	46	"	"	
Desengano Feliz -	"	Joao Vianna - - -	Benguella -	537	50	"	
Tres Amigos - - -	"	M. Jozé das Neves -	Cabinda -	558	37	"	
Providencia - - -	"	Ml. Jozé Madeira - -	Ambriz - -	191	21	"	{ Robbed by a Pirate when at anchor of 74 slaves.
Novo Jupiter - - -	"	Fco. Anto. de Silva -	Rio Zaire -	524	19	"	
Cercs - - -	"	Ml. dos Santos, Laga	Ambriz - -	418	16	"	{ Robbed by a Pirate when at anchor of 61 slaves.
Bella Americana -	"	{ Candido Emilio de Avellar - - - }	Cabinda -	360	24	"	
Estrella do Cabo -	"	Jozé Victor dos Santos	Ditto - -	304	16	"	{ Robbed by a Pirate at Ca- binda of 132 slaves.
General Rego - - -	"	Anto. Danl. de Azevedo	Ambriz - -	345	"	"	
Galiana - - -	"	Fco. de Paula Coelho -	Angola - -	418	25	"	
Minerva - - -	"	{ Anto. de Oliveira Barreiros - - - }	Quilimane -	437	30	"	
Novo Amizade - -	"	Anto. Jozé Ribeiro -	Campos - -	120	"	"	
Esperança - - -	"	{ Ml. dos Santos de Anrade - - - }	Ambriz - -	147	1	"	
Economia - - -	"	Fco. e Corrêa Caldas -	Benguella -	279	6	"	

(continued.)

Enclosure in No. 49, continued.

NAME of VESSEL.	Country.	NAME of MASTER.	Where from.	Number of Slaves shipped.	Number of Slaves dead at sea.	Place from whence the voyage began.	REMARKS.
Primavera -	Brazilian	Jm. M. Ferreira -	Benguela -	256	35	Rio de Janeiro.	
Marquez de Pombal -	"	M. Joze de Cunha -	Ambriz -	163	"	"	
Martial -	"	Joao Luiz da Roza -	Cabinda -	447	30	"	
Lobo -	"	Luiz Cla. Pontieres -	Costa de Leste ocidental -	79	"	"	
D. Anna -	"	Dga. Pires Castilhos -	Angola -	337	11	"	
Bella Brasileira -	"	Joze Ant. dos Santos -	Cabinda -	486	10	"	
Espadarte -	"	Luiz de Costa Ferreira -	Ditto -	236	3	"	
Amizade Feliz -	"	Jos. Xavier de Moraes -	Ditto -	262	"	"	
Velha de Dio -	"	Jozé Ant. Teixeira -	Ditto -	180	"	"	
Boao Unido -	"	Caetano Dias de Silva -	Ditto -	288	26	"	
Andas -	"	Jacob Maria Maurity -	Ditto -	512	"	"	
Leopardo -	"	Gregorio Jozé de Paris -	Benguela -	339	43	"	
Emilia -	"	Anto. de Cta. Pereira -	Angola -	508	60	"	
Conde do Rio Pardo -	"	Fdo. de Paulo Fidalgo -	Moçambique -	572	131	"	
Independente -	"	Anto. de Cta. Pereira -	Cabinda -	416	6	"	
Activo -	"	Miguel Rro. do Amaral -	Angola -	562	32	"	
Flor do Rio -	"	Jozé Dias Cupertino -	Ditto -	514	17	"	
Trajano -	"	M. Fco. de Aranjó -	Benguela -	564	34	"	
Urania -	"	Luiz de Queiroz Monteiro -	Ditto -	236	14	"	
Esperança -	"	M. dos Santos de Andrade -	Ambriz -	147	1	"	
Quatro Amigos -	"	Joao Martins de Pava -	Benguela -	445	9	"	
Imperio do Brazil -	"	Jm. de Santa A. Garcia -	Quilimane -	425	63	"	
Suzana -	"	Anto. Jozé Teixeira -	Angola -	417	2	"	
Incomparavel -	"	Lt. Alves -	Goa and Moçambique -	440	46	"	
Nova Carolina -	"	Joao Correa de Barros -	Angola -	305	33	"	
Astréa -	"	Anto. Fda. Alves -	Moçambique -	864	259	"	
Novo Triumpho -	"	Anto. Jozé Fco. Guimaraes -	Angola -	471	63	"	
Marianna -	"	Jozé Carro. Bastos -	Ditto -	303	19	"	
Raynudo -	"	M. Jozé M. Rodrigues -	Cabinda -	298	29	"	
Maria -	"	M. Jozé dos Santos -	Benguela -	346	31	"	
Caçador -	"	M. Jm. da Cruz -	Angola -	741	62	"	
Penha -	"	Anto. Fco. de Oliveira -	Ditto -	352	28	"	
Aurora -	"	Henrique R. Motta -	Molembo -	157	61	"	
Tres Corações -	"	-	Angola -	508	74	"	
Aquia do Brazil -	"	M. Dga. Bastos -	Lourenço Marquez -	599	8	"	
Esperança -	"	Jm. Ma. Pereira -	Angola -	540	75	"	
Aviso Oriental -	"	Jozé Pa. R. Lima -	Moçambique -	233	29	"	
Fluminense -	"	Fco. Dias Machado -	Ditto -	678	178	"	
St. Antonio -	"	Jozé Caeto. Malho -	Inhambane -	288	5	"	
Zephiro -	"	Luiz Jozé Maria -	Ditto -	867	190	"	
Daphne -	"	Jozé Ma. de Moura -	Moçambique -	289	101	"	
Total - - - 82			Total - - -	33,964	3,125		

(Signed)

W. PENNELL, Consul-General.

Rio de Janeiro, July 15, 1833.

No. 50.

W. Pennell, Esq. to the Earl of Aberdeen.—(Received December 16.)

MY LORD,

British Consulate, Rio de Janeiro, Oct. 15, 1830.

I HAVE the honour to inform your Lordship, that one of the publick newspapers (the "Aurora,") has lately called the attention of this Government to the departure of some vessels for Africa, and to the purchase of others, at high prices, for the same destination, and pointing out the impossibility of the speculation being for the purchase of ivory or other legal objects, and the great probability, if not the moral certainty, that they have no other object than the traffick in slaves.

The Article then reminds the Government of the Treaty with England, the dishonour attendant on this inhuman commerce, and the atrocities with which it is likely to be accompanied, adverting particularly to the throwing slaves overboard, in order to destroy the proof of piracy, when in danger of being captured by an English Cruizer. It calls on Government to guard against these contingencies, and warns them of their responsibility, should the nation be degraded by the success of such infamous speculations.

I read the Article with great satisfaction, and the more so, as I believe the sentiments, which it expresses, are gaining ground in this country; the recent slave cases of the "*Africano Oriental*" and "*Eliza*," brought before the Mixed Commission, tend to confirm this opinion, showing that the Government was not neglectful of its duties, and that the Owner, in appealing to the Mixed Commission, cannot count on impunity from the ordinary tribunals.

I have the honour, &c.

(Signed)

WM. PENNELL,

Consul-General.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

BRAZIL. (Consular.)—Bahia.

No. 51.

Mr. Acting-Consul Weiss to the Earl of Aberdeen.—(Received April 22.)

MY LORD,

British Consulate, Bahia, Jan. 25, 1830.

HEREWITH I have the honour to transmit to your Lordship, copy of a correspondence between myself and the President of this Province, respecting the Portuguese four-masted ship "*Sophia*," which has been engaged in the slave-trade; along with some other documents, and a copy of my report to His Majesty's Consul-General at Rio de Janeiro, on this subject. This is the same vessel which I reported as suspected of going on an illegal voyage from this port, in my despatch of 7th February, directed to His Majesty's Ambassador at Rio de Janeiro, a copy of which I had the honour to transmit to your Lordship on the same day.

I have the honour, &c.

(Signed)

CHARLES G. WEISS,
Acting-Consul.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

First Enclosure in No. 51.

Mr. Acting-Consul Weiss to the President of Bahia.

MY LORD,

British Consulate, Bahia, Dec. 28, 1829.

THE Portuguese four-masted ship "*Sophia*," of Lisbon, having arrived at this port the day before yesterday, from the Coast of Africa, with an unusual large number of slaves on board, under Brazilian colours, and under a different name, I have the honour to offer to your Lordship the following observations.

This ship obtained a license from your Lordship, on the 5th September last, being then under Portuguese colours, for a voyage to Kacongo and other ports in Africa, for the purpose of trading in African produce (*generos do paiz*) only; she sailed from this port under Portuguese colours.

Previous to her departure for the coast, application was made at the Arsenal for a regular role of equipage (*matricula*) as a Brazilian; but this, as I am credibly informed, was very properly refused. Accounts have been received since that this ship had been seen at the Port of Onin, a noted place of resort for vessels carrying on the illicit traffick of slaves from the northward of the Line, and under Brazilian colours, although she had, as already observed, sailed from this port under the Portuguese flag.

These circumstances, taken all together, certainly form very strong presumptive proof, that the ship in question has not only been sailing under false papers, but also that she has been engaged in the illicit traffick of slaves from the north of the Line; and at any rate her voyage is a fit subject for the strictest investigations.

I have, therefore, to request, that your Lordship will be pleased to take, without loss of time, such steps as may be necessary for the purpose of such investigation, according to the existing Treaties.

I have the honour, &c.

(Signed)

CHARLES G. WEISS,
Acting Consul.

His Excellency the President of Bahia.

Second Enclosure in No. 51.

(Translation.)

*The President of Bahia to Mr. Acting Consul Weiss.**Palace of the Government of Bahia,
December 30, 1829.*

MOST ILLUSTRIOUS SIR,

I HAVE received your despatch, dated the 28th instant, on what has occurred respecting the voyage of the ship "*Sophia*," of four-masts, and having given orders to proceed to make the necessary investigation, I shall reply to you on the subject in due time.

God preserve you.

(Signed)

VISCONDE DE CAMAMU.

Mr. Charles G. Weiss, Acting English Consul.

Third Enclosure in No. 51.

(Translation.)

*The President of Bahia to Mr. Acting Consul Weiss.**Palace of the Government of Bahia,
January 2, 1830.*

MOST ILLUSTRIOUS SIR,

THE investigation which I ordered to be gone into, in consequence of the despatch which you wrote to me, on the 28th December last year, respecting the voyage of the ship "*Sophia*," has been transmitted to me by the Provedor (Collector) of the Custom-house, in a despatch, of which I annex a copy, and in virtue of which I have, through the Counsellor Chancellor of the Relação, ordered that judicial cognizance is to be taken of the business in question, as may be convenient; this being the most legal way to proceed in such cases, of which I now give you notice.

God preserve you.

(Signed)

VISCONDE DE CAMAMU.

Mr. Charles G. Weiss, Acting English Consul.

Third Enclosure (A.) in No. 51.

(Translation.)

*The Collector of Customs to the President of Bahia.**Bahia, January 2, 1830.*

MOST ILLUSTRIOUS AND MOST EXCELLENT SIR,

THE note from the British Consul, of which your Excellency has sent me a copy, founded on the hypothesis of an offence against the existing Treaties, with the English Nation, respecting the slave-trade, of 22d January 1817, all the stipulations of which were confirmed by the Convention of the 23d November 1826, applied to the arrival in this port of the four-masted vessel with a cargo of slaves, from the Coast of Africa, under Brazilian colours, having sailed from here under the Portuguese flag, and stating that she had trafficked to the north of the Line, is not conceived in justice; for supposing that vessel to leave this port for that of Kaongo, or any other similar port of the south of the Line on the Coast of Africa, under the Portuguese flag, her departure took place exactly at the time when she still belonged to João Baptista Honorato Aurelio, a subject of Portugal, who, since then, and on the 4th September last year, sold her by publick contract to Jozé Francisco Moreira, to be delivered up in the Port of Molembo, or that of the Kaongo, to his Agent, Claudio Tiburcio Moreira, it is clear that, after the delivery to the Agent, the possession, which the Owner who sold her had of her, would immediately cease, and that in consequence the vessel would cease to be Portuguese, and that being in possession of a Brazilian subject, she must cease to carry the colours which she had been until then entitled to; further, by trading in slaves in ports not prohibited, she did not offend any stipula-

tion of Treaties, nor can it be conceived, that in these transactions, the vessel has been navigated under false colours, nor can it be presumed that the Authorities to which it belongs to watch over such transactions, would consent to an infraction of existing Treaties, and allow her to come to an entry, having illegal papers.

The assertion, that this vessel has been trading at Onim, is also erroneous, for the qualities of the slaves can prove the contrary; and even had she been there, it belongs to the cruizers alone to investigate her case, seizing her in case slaves from prohibited ports were found on board; and it does not appear to me, that the stipulations of the Treaties give any authority to Consuls to make reclamations after the return of vessels, and when in the port of their destination, in such cases.

This is what I have to mention to your Excellency, on the statement made in the Consul's note; and taking my opinion into consideration, your Excellency will determine according to pleasure.

God preserve your Excellency.

The Provedor of the Custom-house,

(Signed) JOAQUIM CARNEIRO DE CAMPOS.

A true copy. (Signed) The Secretary,
ANTONIO JOAQUIM ALVAREZ DE AMIRAL.

The Viscount de Camamu, President of this Province,
&c. &c. &c.

Fourth Enclosure in No. 51.

Mr. Acting Consul Weiss to the President of Bahia.

MY LORD;

British Consulate, Bahia, Jan. 5, 1830.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 2d instant, respecting the Portuguese ship "*Sophia*," with the opinion of the Collector of the Customs of this Port on the subject. The arguments, made use of by that functionary, are certainly unworthy of any attention, inasmuch as, even supposing the alleged sale and transfer of the "*Sophia*" to Brazilian subjects to be perfectly true and legal, this circumstance by itself would by no means entitle her to navigate the high seas under Brazilian colours, without being at the same time authorized to do so by a register or passport from a competent authority. Any British, American, or any other foreign vessel might, if such doctrine could stand good, be navigated contrary to all the laws of their original countries, and might commit even piracy with impunity. Considering the nature of her cargo, it becomes still more evident, that her voyage has been contrary to law. Such a voyage requires a specific licence, to obtain which the vessel must have been previously measured, in order to ascertain the number of slaves she is allowed to carry. This is stipulated by the Treaty of the 28th of July, 1817, and in conformity to the Alvarà of 24th of November 1813, and consequently practised at this and other ports of the Brazilian Empire, with vessels sent out for slaves. Not one of these formalities, which are most essential to make her voyage legal, have been observed. The slaves imported were bought and shipped at the Port of Bonny, a well-known port to the northward of the Island of Fernando Po, (and not at Onim, as stated by an error of the person who copied my despatch.) The slaves she has brought will prove this, and other evidence to that effect can be brought forward if necessary.

The fact of the vessel in question having been admitted to an entry at the Custom-house in this port, proves nothing in her favour, considering that the Collector of the Customs, who thus admitted her, is evidently as ignorant of the first principles of maritime laws and regulations, as he is of the stipulations of the Treaties between Great Britain and Brazil, and regarding his assertion,—that the Consul has no right to interfere in this case, because the vessel has escaped the vigilance of the British cruizers, he ought to know, that it is both matter of right and of duty, that the Consul should interfere in

any case, where he cannot but conceive, that the stipulations of the existing Treaties have been infringed in a most palpable manner; the safe arrival of the vessel at this port cannot screen her, her owners and crew, from such penalties, as the law against illegal traffick in slaves inflicts upon them.

Weighing maturely all the circumstances of the case, I have the honour to suggest to your Lordship's consideration, the propriety of referring this case to the decision of the Mixed Commission at Rio, expressly appointed to decide such questions, and to direct consequently such measures to be taken as the nature of the case requires, in order that full justice may be done; and if found that the laws have been transgressed in the present instance, that it may be made manifest that such a nefarious traffick henceforth is not to be carried on with impunity.

I have, &c.

(Signed)

CHARLES G. WEISS,

Acting Consul.

His Excellency the President of Bahia,
&c. &c.

Fifth Enclosure in No. 51.

(Translation.)

The President of Bahia to Mr. Acting Consul Weiss.

Palace of the Government of Bahia,

January 9, 1830.

MOST ILLUSTRIOUS SIR,

FINDING that I ought to give due importance to the observations, which you made to me in your despatch of the 5th instant, and which I received yesterday, respecting what has occurred relative to the ship "*Sophia*," I have to acquaint you, that I am about to transmit the above-mentioned despatch to the Judge of the Civil Court, as the Magistrate charged with taking judicial cognizance of the case of the ship, in order that he may proceed to take the proper investigation.

God preserve you.

(Signed)

VISCONDE DE CAMAMU.

The Acting English Consul, Bahia.

Sixth Enclosure in No 51.

Mr. Acting Consul Weiss to the President of Bahia.

MY LORD,

British Consulate, Bahia, Jan. 7, 1830.

HAVING been credibly informed, that the ship "*Sophia*" is about to leave this port, with a part of the slaves imported, I must not omit to point out to your Lordship the necessity of not allowing her to depart before her case is properly investigated, and that I am under the obligation to protest against your Lordship's sanction to her leaving this port, without, at least, taking ample security for making effective any decision, that may be given against her and her cargo. I also claim to be heard and be allowed to bring forward further proofs of the illegality of her last voyage.

I have the honour, &c.

(Signed)

C. G. WEISS,

Acting Consul.

His Excellency the President of Bahia,
&c. &c.

Seventh Enclosure in No. 51.

(Translation.)

The President of Bahia to Mr. Acting-Consul Weiss.

Palace of the Government of Bahia,

January 9, 1830.

MOST ILLUSTRIOUS SIR,

PREVIOUS to receiving your despatch of the 7th instant, respecting the case of the ship "*Sophia*," and that she should not obtain a passport to

leave this port, I have already issued orders to the Provedor (Collector) of the Custom-house, that he should not allow the usual despatches to be given to that vessel, without her being declared in due order by the proper Judge, to whom I have thought proper to transmit your despatch, in order that due consideration should be given to your requisition.

God preserve you, &c.

(Signed)

VISCONDE DE CAMAMU.

The English Acting Consul.

Eighth Enclosure in No. 51.

Mr. Acting Consul Weiss to the President of Bahia.

MY LORD,

British Consulate, Bahia, Jan. 14, 1830.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 9th, in reply to mine of the 5th instant, respecting the Portuguese ship "*Sophia*."

In consequence of a letter sent to me by the Escrivão d'Afandega, I have been present at the depositions of witnesses, produced, as I was told, by the Owner or Owners of the "*Sophia*," those witnesses being, with one exception only, part of her crew, or at least representing themselves to be such. I have since been informed, that the Magistrate, who took the depositions, considers himself authorised to decide on the legality or illegality of the "*Sophia's*" voyage from Africa to this port, although from the tenour of your Lordship's despatches of the 30th of December last, and of the 2d and 9th instant, I could not but conceive that an investigation, or taking depositions of witnesses only, was intended.

According to the express terms of the Treaty of the 28th of July 1817, the decision of this, or any similar case, belongs to another tribunal, as I have already had the honour to represent to your Lordship in the course of this correspondence, namely, in my despatch of the 5th instant, and according to the same Treaty, the voyage is most unquestionably illegal.

I must now, therefore, most formally decline to exhibit witnesses or documents before a tribunal, which I cannot consider otherwise than quite incompetent to decide on the case, and I protest most solemnly against any decision of the Magistrate in question, or against that of any other, as null and void to all intents and purposes.

It only remains for me now to remit all the documents in my possession, relating to the ship "*Sophia*," to His Britannick Majesty's Consul-General at Rio de Janeiro, in order that he may take such steps as he may deem most proper.

I have the honour, &c.

(Signed)

CHARLES G. WEISS,

His Excellency the President of Bahia,

Acting-Consul.

&c.

&c.

&c.

Ninth Enclosure in No. 51.

(Translation.)

The President of Bahia to Mr. Acting-Consul Weiss.

MOST ILLUSTRIOUS SIR,

*Palace of the Government of Bahia,
January 16, 1830.*

I TAKE due notice of what you state in your despatch of the 14th instant, and received yesterday, respecting the competency of the Magistrate who has been appointed to take judicial cognizance of the voyage of the ship "*Sophia*,"

and it only remains for me to reply, that this Government is of opinion that it has proceeded correctly in the determination it has taken on the subject in question.

God preserve you.

(Signed)

VISCONDE DE CAMAMU.

The English Acting-Consul,

Tenth Enclosure in No. 51.

Mr. Acting-Consul Weiss to J. P. Leite, Esq.

MOST ILLUSTRIOUS SIR, *British Consulate, at Bahia, Jan. 7, 1830.*

THE Portuguese ship "*Sophia*" having arrived at this port on the 26th ult., with a considerable number of slaves on board, under Brazilian colours, without it appearing where she obtained her passport, to authorize her to carry that flag, I have to request of you the favour (as you must needs be acquainted with the particulars of this transaction) to give me information on this subject, and principally as relates to the time previous to her sailing from this port, in order to serve for my Government, as to the representation which I shall be under the necessity of making on this subject.

God preserve you.

(Signed)

CHARLES G. WEISS,

J. P. Leite, Esq. Portuguese Consul, Bahia.

Acting Consul.

Eleventh Enclosure in No. 51.

(Translation.)

J. P. Leite, Esq. to Mr. Acting-Consul Weiss.

*Portuguese Consulate, at Bahia,
January 8, 1830.*

MOST ILLUSTRIOUS SIR,

IN reply to your despatch of yesterday, requiring information on the sailing and entering of the Portuguese ship "*Sophia*," I have to reply, that the said ship became Brazilian property; in consequence of which her register and papers were returned to this Consulate in due time, and sent on to where they belong to, conformably to my instructions; this being all I know on the subject, and if you want more ample elucidations, no one is more able to furnish them than the Government of this Province.

God preserve you.

(Signed)

JOAO PEREIRA LEITE.

*Charles G. Weiss, Esq. Acting-Consul to
His Britannick Majesty at Bahia.*

Portuguese Consul.

Twelfth Enclosure in No. 51.

(Translation.)

Instrument of Sale and Bargain made by Joao Baptista Honorato Aurelio, of the Portuguese Barque "Sophia," and Jozé Francisco Moreira, for the Sum and Amount of 6,000\$000 in the following manner:

BE it known to all who may see this publick instrument of sale and bargain, or whatever name or description in law it may bear, that in the year of our Lord Jesus Christ of 1829, and on the 4th day of September of that year, in this City of St. Salvador, Bahia of All Saints, and in my office of Notary Publick, appeared as contracting parties, namely, on one side as seller, João Baptista Honorato Aurelio, and on the other side as buyer, Jozé Francisco Moreira, these persons being known to me, the Notary, as being the same they represent themselves to be, and which I name, and by the said seller it was declared to me, in the presence of the witnesses undersigned, that amongst other property which he possesses free and disembarassed of any hypothecation or lien, is also the barque "*Sophia*," anchored in this port, which

barque he sells, and effectually has sold, from this day for ever, to the buyer, Jozé Francisco Moreira, for the amount of 6 contos of reis, 3 contos of reis being to be paid in one year, and the other 3 contos to be paid in 2 years from the date of this instrument; the voyage which he intends to make from this city to the Coast of Africa, belonging to the said seller, where in the Port of Molembo, he, the said seller, binds himself to deliver the said vessel to the buyer, or to his agent, who shall have his authority to receive her, and especially to Claudio Tiburcio Moreira, with all her appurtenances, so that she may immediately be navigated from the said port in the name and for account and risk of the buyer, according to such orders as he, the buyer, shall give to his agent, remaining until her departure disembarassed and not responsible for the said barque, and on possession, and on the falling due of the payments, the buyer is to be bound to pay the duty on the sale, and that in this manner he holds her, the said barque, properly sold to the buyer under the conditions declared, that the said buyer may hold and use her in his peaceable possession, of which he is not to be deprived by him, the seller, or any other person, since he from this takes away and dismisses from himself all right, act, or pretension which he held, or might have held, in the said barque, for himself, his heirs and successors, so that possession may be taken, and taking or not taking, he the seller in the person of the buyer, gives entirely possession real, actual, civil, and natural, and that when in possession, no person or persons who might put doubts or embargoes, he the seller binds himself to appear as party complaining or defending at his expense and risk, until all is settled and decided, and the buyer to continue in peaceable possession or if the contrary should happen, to return and make restitution of his money, and pay all improvements which have been made. And by the buyer it was also declared, in the presence of the said witnesses, that he accepted, and now effectually accepts, this present instrument, with all its conditions and clauses, and consequently constitutes himself legitimate owner and debtor to the seller for the amount of 6 contos of reis, which are to be paid in the manner stipulated, and for the payment of which he pledges the said barque and her appurtenances especially, besides his other property, moveable and not moveable, the best and most eligible, present and future, the seller being obliged to deliver the said barque to whatever agent he, the buyer, may appoint. Finally, both remain bound, as far as may regard each, and it was further declared, that they personally bind themselves to maintain and uphold this present instrument in such manner as therein expressed, and not to revoke, reclaim, nor contradict the same in their own or other names, and without embargo whatever, but rather to uphold its validity. In witness of having thus concluded, they have required the usual copies of this instrument, and I, the Notary Publick, have written the present, signed by the parties in presence of the witnesses. I, Manoel Pinto da Cunha, wrote it.

(Signed) MANOEL PINTO DA CUNHA.

(Signed) OREILLE JOZE FRANCISCO MOREIRA.
DE CONSTANTINE FAVARES DE MACEDO.
CONSTANTINE JOZE D'OLIVEIRA.

Thirteenth Enclosure in No. 51.

Mr. Acting-Consul Weiss to W. Pennell, Esq.

SIR,

British Consulate, Bahia, January 25, 1830.

ENCLOSED I have the honour to transmit to you copies of a correspondence I have had with his Excellency the President of this Province, on the subject of the four-masted ship "*Sophia*," arrived in this port on the 26th of December last, with an unusual large number of slaves, said to be 1,204, but only 764 reported, accompanied by some documents relative to that vessel.

The "*Sophia*" is stated to have been disposed of or sold at this port to one Jozé Francisco Moreira, on the 4th of September last, that person being a Brazilian subject. On the 5th of the same month of September, she took out a license from this Government, as a Portuguese, to go to the coast, and trade

in African produce only. She sailed on the 12th following, still under Portuguese colours, ostensibly for the Port of Kaongo (a port where, by the bye, never any trade in African produce has been carried on), returning to this port on the 26th of December last, with a cargo of slaves, and under Brazilian colours. It must be observed, that she had never been measured here, nor obtained a license agreeably to the stipulation of the Treaty of the 28th of July 1817.

The President, to whom I made a representation on the subject (it appearing to me that this case was one of those contemplated by you in your despatch of the 27th of October, respecting the slave-trade), first obtained the opinion of the Collector of the Customs of this port; but that appearing to him too absurd, he remitted the papers to the Chancellor of the *Relação*, in order, as he then writes to me, to institute a judicial enquiry.

A few days after I received a written notice, on the part of the *Desembargador*, *Juiz do Cível*, that certain witnesses were going to be examined before him, relating to the voyage of the "*Sophia*," and that I might be present at such examination if I thought proper. These witnesses were, or pretended to be, of the crew of the "*Sophia*," and their testimony was taken without at all making enquiries into their real situation in life. They all swore, that the vessel had only been to Kaongo, and that there she had changed colours. On this occasion I was given to understand, by the Magistrate just mentioned, that he had not only been commissioned to take the depositions of the witnesses, but also to decide of the legality or illegality of the "*Sophia's*" voyage. To this I have thought proper to formally protest, on the grounds stated in my despatch of the 14th instant, addressed to the President, but which only produced, in reply, his despatch of the 16th instant.

It is evident, that the voyage of the "*Sophia*" has been an illegal one, inasmuch as she never had complied with the stipulations of the Treaty of July, 1817; and further, because the alleged sale and transfer of the vessel to J. Moreira is false. The person stated as the Owner and Vender of the bill of sale enclosed, to be one João Baptista Honorato Aurelio, is no other than a Frenchman, who never possessed any legal title to the vessel, who went out and came back in her, and who is the real, or at least the principal, Owner of the whole concern. The vessel had been seen, and an endorsement made on her register by the Commander of one of His Britannick Majesty's cruizers at the Port of Bonny, on the Coast of Africa, at the time when she was ready to take in her cargo of slaves; but the Portuguese Consul refused to produce this paper, for reasons best known to himself. Other proof, however, of illegality of the voyage might have been produced; but such has been the determination of the Local Authorities to decide on the case in favour of the parties concerned, that the Magistrate, who took the depositions, declared the voyage to be legal, without giving me even a hearing, as I had demanded. The ship "*Sophia*" is still in this port, and the slaves are selling, but owing to there being no less than 8,000 of these poor creatures exposed for sale at this moment, the sale is going on but slowly.

I have been thus particular in bringing this case under your notice, as it will, in all probability not be the last, and as the endeavours of slave-dealers to deceive the Local Authorities are redoubling, in proportion as the term of their direct traffick is drawing to a close.

I have the honour, &c.

(Signed) CHARLES G. WEISS, Acting Consul.

*William Pennell, Esq. His Britannick Majesty's
Consul-General, Rio de Janeiro.*

No. 52.

Mr. Acting Consul Weiss to the Earl of Aberdeen.—(Received April 22.)

MY LORD,

British Consulate, Bahia, February 6, 1830.

I HAVE the honour to transmit to your Lordship, enclosed, an account of vessels arrived from the Coast of Africa at this port, with slaves, for the half year ending December 31, last.

It has been out of my power to ascertain, accurately, what part of Africa these vessels actually come from; but I can state that they are chiefly from the Ports of Onim, Bonny, and New Calabar, and that all, with only one or two exceptions, are from prohibited ports.

I have, &c.

(Signed)

The Right Hon. the Earl of Aberdeen, K. T.
 &c. &c. &c.

CHAS. G. WEISS,
 Acting Consul.

Enclosure in No. 52.

Return of the Importation of Slaves in the Port of Bahia, during the Half-Year ending December 31, 1829.

Date of Entry.	NAMES of VESSELS.	Country.	NAMES of MASTERS.	Names of Places of Outfit.	Names of Places from whence their Clearance was produced.	Number of Slaves.		
						Embarked.	Died on the Voyage.	Loaded.
1829.								
July 6	Felicidade - -	Brazil	Antonio Vieira dos Santos -	Bahia	Molembo -	336	"	336
" "	Tentadora - -	"	Joao Diego da Silva Porto -	"	Ditto	360	2	358
" "	N. S. da Guia - -	"	Jozé Fernando Soares -	"	Cabinda -	294	"	294
August 4	Lobo - - -	"	Luiz Clemente Ponthier -	"	De Nazareth -	86	"	86
" 6	Ma. Theresa - -	"	Thomé Joaquim Roiz Palabra -	"	Molembo -	335	11	324
" 21	Agua - - -	"	Lourenço Nunez - - -	"	Cabinda -	131	3	128
Sept. 16	Diligencia - -	"	Jozé Antonio - - -	"	Kaongo -	406	8	398
" 27	Temerario - -	"	Jozé Maria dos Santos Sephalio -	"	Cabinda -	413	8	405
Oct. 3	Flor d'Etiopia -	"	Manoel Correa - - -	"	Ditto	271	1	270
" 4	Prim ^a Rosalia -	"	Joao Sabino - - -	"	Ditto	410	35	405
" 12	Terce ^a Rosalia -	"	Joaquim Vieira dos Santos -	"	Ditto	288	22	266
" "	Esperança - -	"	Jozé da Silva Rios - - -	"	Ditto	411	3	408
Nov. 6	Furao - - -	"	Jozé Ferreira de Barros - -	"	Ditto	585	17	568
" 12	Felicidade - -	"	Antonio Vieira dos Santos -	"	Molembo -	459	4	455
" 14	Carlota - - -	"	Jozé Francisco da Costa -	"	Ditto	377	9	368
" "	Veloz - - -	"	Jozé Barboza - - -	"	Cabinda -	570	33	537
" 15	Bom Sucesso - -	"	Jozé Vieira de Faria - - -	"	Ditto	233	8	225
" 20	Umbelina - - -	"	Joao Cardozo dos Santos -	"	Ditto	376	"	376
Dec. 2	Virginia - - -	"	Domingos Lourenço Sobral -	"	Kaongo -	262	33	229
" "	Fortuna - - -	"	Jacinto Antonio Pereira -	"	Cabinda -	667	20	647
" 4	Diligencia - -	"	Jozé Antonio - - -	"	Kaongo -	406	4	402
" 11	Borboleta - - -	"	Jozé Claudio Gomez - -	"	Molembo -	345	"	345
" 24	Bahiana - - -	"	Manoel Isidoro Carreira -	"	Kaongo -	187	7	180
" 26	Emilia - - -	"	Claudio Tiburcio Moreira -	"	Ditto	768	4	764
" 27	D ^a Barbara - -	"	Jozé Rodriguez Ferreira -	"	Molembo -	251	"	251
" "	N. S. da Gloria -	"	Antonio Francisco da Costa -	"	Mozambique -	299	31	268
" 29	Africano - - -	"	Francisco Barboza d'Oliveira -	"	Cabinda -	160	"	160
Total - -						9,716	263	9,453

(Signed)

CHARLES G. WEISS, Acting-Consul.

No. 53.

Mr. Acting Consul Weiss to the Earl of Aberdeen.—(Received April 22.)

MY LORD,

British Consulate, Bahia, February 8, 1830.

ENCLOSED I have the honour to transmit to your Lordship, four accounts of vessels entered into and sailed from this port, from and to the Coast of Africa, accompanied by a copy of my correspondence with the President of this Province on the subject, and of my report of the case to His Majesty's Consul-General at Rio de Janeiro, which will explain the motives which induced me to obtain these accounts; and it is, therefore, not necessary to revert to them here again. There can be no doubt that the system of obtaining 2

passports, under 2 different names, for the vessels dispatched to the coast, has been resorted to by the slave-merchants here, for a considerable time, for the purpose of deceiving the cruizers on the coast, and also, in case of capture, for that of obtaining indemnisation from His Majesty's Government, in case of capture without slaves on board, and that in both respects the slave-merchants have been frequently successful. I have, &c.

(Signed) CHARLES G. WEISS,
The Right Hon. the Earl of Aberdeen, K. T. Acting-Consul.
 &c. &c. &c.

First Enclosure in No. 53.

(Translation.)

An Account of Brazilian Vessels, to which this Government has granted Passports for Africa, with liberty to import Slaves, from the 30th September 1829, to the 15th November of the same Year.

(No. 43.)—On the 1st of October a passport was given to the schooner "*Diligente*," of 192 tons, for Kacongó, Owner Ignacio Garcea Roza, and Master Jozé Antonio; to return to ports in Brazil, with liberty to touch at this port; allowed to carry any number of slaves not exceeding that of 412.

(No. 46.)—On the same day, to the schooner "*Campeadora*," Owner Antonio Pedrozo d'Albuquerque, and Master Joaquim Luiz Croze, for Kacongó, with liberty to touch at Bonny; to return to Santos, with liberty to touch at Rio de Janeiro; allowed to carry not exceeding 328 slaves.

(No. 47.)—On the 13th, to the sumac "*Nova Resolução*," of 72½ tons, Owner Antonio Florindo da Silva Chaves, Master Januario Jozé da Cruz, for Cabinda, with liberty to touch at the Coast of the Mina, St. Thomas and Prince's Islands; allowed to carry not exceeding 169 slaves.

(No. 48.)—On the 16th, to the schooner "*Orfaa*" of 192½ tons, Owner Ignacio Garcia Roza, and Master Jozé da Silva, for Cabinda; to return to ports in Brazil, with liberty to touch at this port; allowed to carry not exceeding 411 slaves.

(No. 49.)—On the same day, to the schooner "*Trinidade*" of 189½ tons, Owner Antonio Jozé Manteiro, and Master Joao Moreira de Lima, for Cabinda; to return to this port; allowed to carry not exceeding 409 slaves.

(No. 50.)—On the 17th, to the schooner "*Maria Theresa Primeira*," of 157 tons, Owner Jozé de Cerqueira Lima, and Master Thomé Joaquim Rodriguez Palavra, for Molembo; to return to Rio de Janeiro, with liberty to touch at this port; allowed to carry not exceeding 335 slaves.

(No. 51.)—On the same day, to the schooner "*Terceira Rosalia*," of 188½ tons, Owner Manoel Francisco Moreira, Master Joaquim Viera dos Santos, for Cabinda; to return to this port; allowed to carry not exceeding 408 slaves.

(No. 52.)—On the 20th October, to the schooner "*Constituição*," of 174½ tons, Owner Jozé de Cerqueira Lima, and Master Francisco Nunez Lopez, for Molembo; to return to Rio de Janeiro, with liberty to touch at this port; allowed to carry not exceeding 495 slaves.

(No. 53.)—On the 21st, to the patash "*Primeira Rosalia*," of 197½ tons, Owner Manoel Francisco Moreira, and Master João Sabino, for Cabinda; to return to this port; allowed to carry not exceeding 424 slaves.

(No. 54.)—On the 27th, to the brig "*Esperança*," of 196½ tons, Owner Jozé Alves da Cruz Rios, Master Jozé da Silva Rios, for Cabinda; to return to ports in Brazil, with liberty to touch at this port; allowed to carry not exceeding 422 slaves.

(No. 55.)—On the 29th, to the ship "*S. Benedito*," of 251 tons, Owner Joaquim Jozé d'Oliveira, and Master Jozé Antonio do Socarro, for Cabinda; to return to this port; allowed to carry not exceeding 627 slaves.

(No. 56.)—On the 30th, to the schooner "*Vingadora*," of 122½ tons, Owner Miguel Luiz Vianna, and Master Lorenzo Nunez, for Cabinda; to return this port; allowed to carry not exceeding 260 slaves.

(No. 57.)—On the 30th October, to the schooner "*Cothia*," Owner Antonio Francisco Bahia, Master Simão Pereira, for Kacongo; to return to ports in Brazil; allowed to carry not exceeding 408 slaves.

(No. 58.)—On the same day, to the schooner "*Flor da Etiopia*," of 189 tons, Owner Antonio Pedrozo d'Albuquerque, and Master Jozé Martins Vianna, for Kacongo, with liberty to touch at Bonny; to return to Rio de Janeiro; allowed to carry not exceeding 405 slaves.

(No. 59.)—On the 31st, to the schooner "*Temerario*," of 191½ tons, Owner Jozé de Cerqueira Lima, and Master Jozé M^a Sephalio, for Cabinda; to return to Rio de Janeiro, with liberty to touch at this port; allowed to carry not exceeding 413 slaves.

(No. 60.)—On the 11th of November, to the patash "*Maria*," of 154½ tons, Owner Jozé Alz. da Cruz Rios, and Master Francisco de Souza, in ballast, for Cabinda; to return to this port; allowed to carry not exceeding 330 slaves.

(No. 61.)—On the 13th of November, to the schooner "*Carlota*," of 175½ tons, Owner Jozé de Cerqueira Lima, Master Jozé Francisco da Costa, for Molembo; to return to Rio de Janeiro, with liberty to touch at this port; allowed to carry not exceeding 377 slaves.

(No. 62.)—On the same day, to the brig "*Felicidade*," of 206½ tons, Owner Wenceslao Miguel d'Almeida, and Master Antonio Vieira dos Santos, for Molembo; to return to Rio de Janeiro, with liberty to touch at this port; allowed to carry not exceeding 444 slaves.

(No. 63.)—On the same day, to the schooner "*Donna Barbara*," of 163 tons, Owner Wenceslao Miguel de Almeida, and Master Jozé Roiz Teixeira, for Molembo; to return to Rio de Janeiro, with liberty to touch at this port; allowed to carry not exceeding 352 slaves.

(No. 64.)—On the same day, to the schooner, "*Bahianna*," of 85 tons, Owner João Francisco de Souza Paraizo, and Master Jozé da Roza, junior, for Kacongo; to return to ports in Brazil, with liberty to touch at this port; allowed to carry not exceeding 196 slaves.

(No. 65.)—On the same day, to the brig "*Bom Amigo*," of 288 tons, Owner Vicente Glz. Rio Tinto, Master Francisco Theodora Arraia, for Cabinda, with liberty to touch at Onin; to return to ports in Brazil, with liberty to touch at this port; allowed to carry not exceeding 618 slaves.

(No. 66.)—On the same day, to the schooner "*Umbelina*," of 160½ tons, Owner and Master João Cardozo dos Santos, for Cabinda; to return to ports in Brazil, with liberty to touch at this port; allowed to carry not exceeding 350 slaves.

(No. 67.)—On the same day, to the ship "*Fortuna*," of 232 tons, Owner Lourenço Antonio do Rego, of Rio de Janeiro, Master Jacintho Antonio Pereira Carneiro, for Cabinda; to return to ports in Brazil, with liberty to touch at this port; allowed to carry not exceeding 625 slaves.

(No. 68.)—On the 14th, to the barque "*Felicidade*," of 261½ tons, Owner João Victor Moreira, Master Jozé Barboza, for Cabinda; to return to this port; allowed to carry not exceeding 561 slaves.

(No. 69.)—On the same day, to the schooner "*Tentadora*," of 167½ tons, Owner João da Costa, junior, Master Ignacio Manoel d'Oliveira, for Cabinda; to return to this port; allowed to carry not exceeding 360 slaves.

A true Copy.

(Signed)

The Secretary,
ANTONIO JOAQUIM ALVARES DO AMARAL.

Second Enclosure in No. 53.

An Account of Vessels, which obtained Passports from this Government for the Coast of Africa, for trading in African produce only, from 30th of September to 14th December of this Year.

(No. 585.)—On the 1st October, a passport was given to the schooner "*Providence*," Joseph dos Reys Master, and Owner Joaquim Carvalho da Fonceca, for the Coast of the Mina, and return to Ports in Brazil with liberty to touch here; to trade in African produce only.

(No. 588.)—In the same day, to the American brig "*Trufalgar*," C. W. Humkly Master, and Consigners John Gilmer and Co., for the Coast of the Mina; to trade in African produce only.

(No. 594.)—On the 6th, to the American brig "*Burton*," Wm. H. H. Nille Master, and Consigners Elridge and Nickerson, for the Coast of Africa; to trade in African produce only.

(No. 600.)—On the 8th of the same month, to the schooner "*Amazona*," Joaquim Luiz da Cruz Master, and Owner Antonio Pedrozo de Albuquerque, for the Coast of Africa, and to return to this town; to trade in African produce only.

(No. 604.)—On the 10th, to the Portuguese schooner "*Nova Providencia*," Lourenço Francisco Aleixo Master, and Owner Francisco Jozé da Cunha and Co., for the Coast of the Mina, and to return for this town; to trade in African produce only.

(No. 618.)—On the 20th, to the schooner "*Maria Thereza*," Jozé Rabello Master, and Owner Jozé de Cerqueira Lima, for the Coast of the Mina, and to return for this port; to trade in African produce only.

(No. 644.)—On the 30th of the same month of October, to the brig-schooner "*Triumpho*," Simeao Jozé Pereira Master, and Owner Antonio Francisco Bahia, for the Coast of the Mina, and to return to ports in Brazil, with liberty to touch here; to trade in African produce only.

(No. 654.)—On the 31st to the brig "*Lobo*," Clement Pouthier Master, and Owner Jozé Geraldo Soares Lobo, having called at this port from Rio de Janeiro, where she had obtained her despatches.

(No. 657.)—On the 3d of November, to the patash "*Feliz*," Bernardo Jozé Master, and Owner Manoel Francisco Moreira, to return to this port; to trade in African produce only.

(No. 663.)—On the 6th to the schooner "*Heroína*," Jozé Maria dos Santos Master, and Owner Jozé de Cerqueira Lima, for the Coast of Mina, and to return here; to trade in African produce only.

(No. 669.)—On the 10th of the same month, to the brig "*Fortuna*," João Pinto da Souza Master, and Owner Jozé Alvarez da Cruz Rios, for the Coast of the Mina, and to return here; to trade in African produce only.

(No. 678.)—On the 13th, to the schooner "*Victoria*," Sebastiano Teixeira Carvalheiro Master, and Owner Jozé de Cerqueira Lima, for the Coast of the Mina, and to return here; to trade in African produce only.

(No. 699.)—On the 19th, to the brig "*Orizonte*," Corme Jozé Rodriguez Master, and Owner Jozé Pereira d'Azambuja, for the Coast of the Mina, and to return here; to trade in African produce only.

(No. 725.)—On the 28th, to the schooner "*Galega*," Jozé Martins Master, and Owner Antonio Pedrozo de Albuquerque, for the Coast of the Mina, and to return to ports in Brazil, with liberty to touch here; to trade in African produce only.

(No. 726.)—On the same day, 28th November, a passport was given to the schooner "*Clara*," Francisco de Souza Master, and Owner Jozé Alvarez da Cruz Rios, for the Coast of the Mina, and to return to ports in Brazil, with liberty to touch here; to trade in African produce only.

(No. 744.)—On the 12th December, to the brig "*Furao*," Francisco Theodoro Arraia Master, and Owner Anacleto Jozé Barboza, for the Coast of the Mina, and to return here; to trade in African produce only,

(No. 749.)—On the 14th, to the schooner "*Bom Sucesso*," Jozé Vieira de Faria Master, and Owner Joaquim Jozé d'Oliveira, for the Coast of the Mina, and to return for this port; to trade in African produce only.

(Signed) The Secretary,
ANTONIO JOAQUIM ALVARES DO AMARAL.

Third Enclosure in No. 53.

An Account of Vessels, which sailed from this Port with a Passport from the Government for the Coast of Africa, as well for the Traffick in Slaves as for African Produce, from the 1st of July to the 30th September of the same Year.

(No. 27.)—On the 4th July, 1829, a passport was given to the brig "*Victoria*," of 191½ tons, Honorio Machado de Andrade Master, and Owner Manoel dos Santos Correa, for Cabinda, with liberty to touch at the Coast of the Mina, St. Thomas, and Prince's Islands, for carrying slaves to the number of 478.

(No. 422.)—On the 9th, to the brig "*Fortuna*," João Pinto de Souza Master, and Owner Jozé Alvares da Cruz Rios, for the Coast of the Mina, and to return to ports in Brazil, with liberty to touch here; to trade in African produce.

(No. 431.)—On the 11th of the same month, to the schooner "*Santo Antonio*," Joaquim Preira dos Santos Master, and Owner Manoel Francisco Moreira, for the Coast of the Mina, and to return for here, to trade in African produce only.

(No. 438.)—On the 13th, to the American schooner "*Exchange*," Henry Parker Master, and Consigners Eldridge and Nickerson, for the Coast of the Mina, to trade in African produce only.

(No. 28.)—On the 17th, to the brig "*Paquete Africano*," of 156 tons, Miguel Antonio Netto Master, and Owner Joaquim Jozé Teixeira, for Cabinda, with liberty to touch at St. Thomé and St. Principe's Islands, returning to this port; carrying slaves not exceeding the number of 346.

(No. 449.)—On the 18th, to the schooner "*Bom Fim*," João Francisco dos Santos Master, and Owner Antonio Jozé Pereira Aronca, for the Coast of the Mina, and to return to this port, to trade in African produce only.

(No. 450.)—On the same day, 18th July, a passport was given to the brig "*Leal Porteuse*," Francisco Theodora Master, and Owner Anacleto Jozé Barboza, for the Coast of the Mina, and to return here or to some of the ports in Brazil, to trade in African produce only.

(No. 451.)—On the same day, to the schooner "*Maria Rosa*," Izidoro Manoel Master, and Owner João Jozé de Freitas, for the Coast of the Mina, and to return to ports in Brazil, to trade in African produce only.

(No. 29.)—On the same day, to the schooner "*Bahiana*," of 86½ tons, Manoel Izidoro Master, and Owner João Francisco de Souza Pariaro, for Kacongo, and to return to ports in Brazil, with liberty to touch here; carrying slaves not exceeding the number of 206.

(No. 30.)—On the same day, 18th July, to the brig "*Furao*," of 277

tons, Jozé Ferreira de Barros Master, and Owner Anacleto Jozé Barboza, for Cabinda, with liberty to touch at St. Thomas and Prince's Islands, and to return to ports in Brazil, with liberty to touch here; carrying slaves not exceeding the number of 589.

(No. 31.)—On the same day, to the schooner "*Santa Cruz*," of 183½ tons, João Francisco Carneiro Master, and Owner Antonio Jozé Pereira Aronca, for Molembo, and to return to Rio de Janeiro, with liberty to touch here; to carry slaves not exceeding the number of 294.

(No. 462.)—On the 22d, to the barque "*Felicidade*," Jozé Barboza Nunes Master, and Owner Jozé Pedro de Madureira, for the Coast of the Mina, and to return to this port, to trade in African produce only.

(No. 469.)—On the 24th of the same month of July, to the Portuguese schooner "*Providencia*," João de Silveira Villas Boas Master, and Owner Joaquim Jozé d'Oliveira, for the Coast of the Mina, and to return here, to trade in African produce only.

(No. 32.)—On the same day, to the schooner "*Bom Sucesso*," of 143½ tons, Jozé Vieira de Faria Master, and Owner Joaquim Jozé d'Oliveira, for Cabinda, with liberty to touch at the Coast of Mina, St. Thomas, and Prince's Islands, and returning here with slaves not exceeding the number of 307.

(No. 33.)—On the 29th, to the "*Lugar Veloz*," of 261½ tons, Jozé Barboza Master, and Owner João Victor Moreira, for Cabinda, and to return to ports in Brazil, with liberty to touch here; carrying slaves not exceeding the number of 561.

(No. 34.)—On the same day, 29th July, a passport was given to the schooner "*Carlota*" of 175½ tons, Jozé Francisco da Costa Master, and Owner Jozé de Cerqueira Lima, for Molembo, and to return to Rio de Janeiro, with liberty to touch here; carrying slaves not exceeding the number of 377.

(No. 479.)—On the 30th to the schooner "*Carlota*," Jozé Francisco Carreira Master, and Owner Jozé de Cerqueira Lima, for the coast of the Mina, and to return to this port, to trade in African produce only.

(No. 482.) On the 31st, to the brig "*African*," Manoel Antonio Netto Master, and Owner Jozé Francisco Gonçalves, for the Coast of the Mina, and to return to this port, to trade in African produce only.

(No. 35.)—On the 5th August, to the schooner "*Tentadora*" of 167½ tons, Ignacio Manoel de Oliveira Master, and Owner Jozé da Costa, jun. for Molembo, and to return to this port; carrying slaves not exceeding the number of 360.

(No. 495.)—On the 7th to the schooner "*Borbolita*," Jozé Claudio Gomez Master and Owner, for Molembo, to trade in slaves, having called at this port from Pernambuco, where she had obtained her despatches.

(No. 500.)—On the 11th to the ship "*Felicidade*," Jacintho Pereira Carneiro Master, and Owner Manoel Cardozo dos Santos, for the Coast of the Mina, and to return to Rio de Janeiro, with liberty to touch here, to trade in African produce only.

(No. 501.)—On the same day, to the ship "*Fortuna*," Jacintho Antonio Pereira Carneiro Master, and Owner Lourenço Antonio do Rego, for Cabinda, to trade in slaves, having called at this port from Rio de Janeiro, where she had obtained her despatches.

(No. 503.)—On the 12th to the schooner "*Barboza*," Jozé Claudio dos Santos Master, and Owner Joaquim Jozé Teiveira, for the Coast of the Mina, with liberty to touch at St. Thomas's and Prince's Islands, and to return to this port, to trade in African produce only.

No. 504.)—On the same day to the schooner "*Aurelia*," Ignacio Manoel d'Oliveira Master, and Owner João da Costa, jun., for the Coast of the Mina, and to return to this port, to trade in African produce only.

No. 36.—On the 14th, to the brig "*Felicidade*," of 206½ tons, Antonio Vieira dos Santos Master, and Owner Wenceslão Miguel de Almeida, for Molembo, and to return to Rio de Janeiro, with liberty to touch here; carrying slaves not exceeding the number of 444.

(No. 37.)—On the same day, to the schooner "*Barbara*," of 163½ tons, Jozé Rodriguez Ferreira Master, and Owner Wenceslão Miguel d'Almeida, for Molembo, and to return to Rio de Janeiro, with liberty to touch here; carrying slaves not exceeding the number of 352.

(No. 510.)—On the 18th of the same month, to the brig "*Agua*," Antonio Veeira Velasco Master, and Owner Wenceslão Miguel d'Almeida, for the Coast of the Mina, and to return to this port, to trade in African produce only.

(No. 38.)—On the 20th, to the schooner "*Nau Lendia*," of 114½ tons, Pedro Jozé Uruga Master, and Owner Joaquim Jozé d'Oliveira, for Cabinda, with liberty to touch at Molembo, and to return to ports in Brazil; carrying slaves not exceeding the number of 251.

(No. 511.)—On the 18th of the same month, to the schooner "*Aurelia*," Jozé Rodriguez Pereira Master, and Owner Wenceslão Miguel d'Almeida, for the Coast of the Mina, and to return to this port, to trade in African produce only.

(No. 518.)—On the 21st of the same month, to the schooner "*Triumpho*," Pedro Jozé Master, and Owner Joaquim Jozé d'Oliveira, for the Coast of the Mina, and to return to this port, to trade in African produce only.

(No. 39.)—On the same day, to the schooner "*Nossa Senhora da Guia*," of 147½ tons, Jozé Fernandez Soares Master, and Owner Joaquim Jozé d'Oliveira, for Cabinda, with liberty to touch at Pernambuco, and to return to this port, carrying slaves not exceeding the number of 297.

(No. 524.)—On the 25th, to the brig "*Campeiro*," Gaspar Bertrand Master, and Owner Antonio Pedroso d'Albuquerque, for the Coast of Africa, and to return to ports in Brazil, with liberty to touch here, to trade in African produce only.

(No. 40.)—On the 26th August, a passport was given to the brig "*Poderoso*," of 223½ tons, Gaspar Francisco Master, and Owner Antonio Pedrozo Albuquerque, for Kaongo, with liberty to touch at the Coast of the Mina, St. Thomas's and Prince's Islands, and to return to Rio de Janeiro, with liberty to touch here; carrying slaves not exceeding the number of 477.

(No. 41.)—On the 1st of September, to the schooner "*Ligeira*," of 167½ tons, Manoel Pereira Sarmiento Master, and Owner Jozé de Cerqueira Lima, for Molembo, and to return to Rio de Janeiro, with liberty to touch here; carrying slaves not exceeding the number of 418.

(No. 544.)—On the 5th, to the schooner "*Francisca*," Honorio Machado de Andrade Master, and Owner Francisco d'Oliveira Nogueira, for the Coast of the Mina, and to return to this port, to trade in African produce only.

(No. 545.)—On the same day, 5th September, to the schooner "*Trahira*," Manoel Pereira dos Santos Master, and Owner Jozé de Cerqueira Lima, for the Coast of the Mina, and to return to this port; to trade in African produce only.

(No. 548.)—On the same day, to the Portuguese ship "*Sophia*," Joaquim Ignacio do Livramento Master, and Consigner Antonio Jozé da Costa, for Kaongo, and other ports in Africa, to trade in African produce only.

(No. 42.)—On the same day, to the schooner "*Santo Antonio*," of 99½ tons, Jozé Moreira de Lima Master, and Owner Luiz Manoel de Freitas, for Cabinda, and to return to this port, carrying slaves not exceeding the number of 210.

(No. 550.)—On the 10th, to the ship "*S. Benedito*," Jozé Antonio do Socorro Master, and Owner Joaquim Jozé d'Oliveira, for the Coast of the Mina, and to return to this port, to trade in African produce only.

(No. 43.)—On the same day, 10th September, to the schooner "*Umbelina*," of 170½ tons, Jozé Cardozo dos Santos Owner and Master, for Cabinda, and to return to ports in Brazil, with liberty to touch here, carrying slaves not exceeding the number of 358.

(No. 565.)—On the 19th, to the schooner "*Carolina*," João dos Santos Master, and Owner Manoel Cardozo dos Santos, for the Coast of the Mina, and to return to ports in Brazil, with liberty to touch here, to trade in African produce only.

(No. 573.)—On the 25th, to the sumac, "*S. Joao Segunda Rosalia*," Prudencio Nogueira Master, and Owner Manoel Francisco Moreira, for the Coast of the Mina, and to return to this port, to trade in African produce only.

(No. 44.)—On the 28th of the same month of September, a passport was given to the schooner "*Aguia*," of 151½ tons, Francisco Pinto d'Aranjo Viana Master, and Owner Jozé Maria Henriques Ferreira, for Molembo, and to return to this port; carrying slaves not exceeding the number of 325.

(Signed) The Secretary,
ANTONIO JOAQUIM ALVARES DO AMARAL.

Fourth Enclosure in No. 53.

(Translation.)

Order for and Return of Departures for the Coast of Africa, from July to December, 1829.

Certify what may appear. (Signed) VISCONDE DE CAMAMU.

MOST EXCELLENT SIR,

Bahia, December 23, 1829.

CHARLES G. WEISS, His Britannick Majesty's Acting Consul, says, that it is necessary that your Excellency gives orders, that a certificate may be passed from the competent Register of the departure of all vessels for the Coast of Africa, since 1st of July, of this year, until this day; and as he cannot obtain it without such order, he requests your Excellency may be pleased to grant some such order, &c. &c.

(Signed) CHARLES G. WEISS.

In obedience to the above order of the most illustrious and most excellent Viscount Camamú, President of this Province, I certify, that by the register of despatches, by order of the Government, in a book which begins on the 8th of March, 1828, and in which are entered the official reports of this port, and where the departures of the vessels mentioned in the above petition are registered, I find the following.—On the 5th of July, 1829, Brazilian brig "*Victoria*," of 191½ tons, Honorio Maxado de Andrade, Master, and crew 15, for Cabinda, with liberty to touch at the Coast of the Mina, St. Thomas, and Prince's Islands.—On the 7th of the same month, and year, brig-schooner "*Temerario*," 191½ tons, Jozé Maria dos Santos Sephalio Master, and crew 27, for Cabinda.—On the 12th of the same month and year, brig "*Fortuna*," João Pinto de Souza Master, for the Coast of Mina, crew 30, and tons 126.—On the 14th of the same month and year, American schooner "*Exchange*," Henry Parker Master, and crew 8, tons 109.—On the 15th of the same month and year, Brazilian ship "*Conde de Souza*," Alexandre Correia Cardozo Moniteiro Master, for Mozambique, with liberty to touch at Quilimane, crew 63, and tons 800.—On the 18th of the same month and year, Brazilian schooner "*Santo Antonio*," Joaquim Vieira dos Santos Master, for the Coast of the Mina, crew 16, and tons 60.—On the same day, Brazilian brig "*Furao*," Jozé Ferreira de Barros Master, for Cabinda, crew 41, and tons 289.—On the 19th of the same month and year,

Brazilian schooner "*Santa Cruz*," of 138½ tons, João Francisco Cardozo Master, crew 22, for Molembo.—On the same day, Brazilian schooner "*Bahianna*," of 86½ tons, Manuel Izidoro Correia Master, crew 19, for Kacongo.—On the 30th of the said month, Brazilian schooner "*Bom Successo*," Jozé Vieira de Faria Master, for Cabinda, with liberty to touch at the Coast of the Mina, crew 15, and tons 143.—On the 31st of the same month, Brazilian schooner "*Santo Antonio*," Joaquim Vieira dos Santos Master, for the Coast of the Mina, crew 10, and tons 60.—On the 3d August of the same year, Brazilian schooner "*Carlota*," 165½ tons, Francisco da Costa Master, crew 24, for Molembo.—On the 5th of the same, Brazilian lugger "*Veloz*," of 26½ tons, Jozé Barboza Master, crew 33, for Cabinda.—On the 9th of the same, Brazilian brig "*Paquete Africano*," Miguel Antonio Netto Master, for Cabinda, with liberty to touch at St. Thomas and Prince's Islands, crew 25, and tons 156.—On the 13th of the same, Brazilian schooner "*Borbolita*," Claudio Gomes Master, for Molembo, crew 27, and tons 189.—On the 14th, Brazilian ship "*Fortuna*," Jacintho Antonio Pereira Carneiro, Master, for Cabinda, crew 43, and tons 292.—On the 16th of the same, Brazilian schooner "*Tentadora*," of 167½ tons, Ignacio Manoel d'Olvieira Master, crew 23, for Molembo.—On the 20th of the said month, Brazilian brig "*Felicidade*," of 206½ tons, Antonio Vieira dos Santos Master, crew 25, for Molembo.—On the 21st, Brazilian schooner "*Donna Barbara*," of 163½ tons, Jozé Rodriguez Ferreira Master, crew 26, for Molembo.—On the 26th, Brazilian schooner "*Nao Lendia*," of 114½ tons, Pedro Jozé Uruga Master, crew 16, for Cabinda, with liberty to touch at Pernambuco.—On the same day, Brazilian schooner "*N. S. da Guia*," of 147½ tons, Jozé Fernandez Soares Master, crew 17, for Cabinda, with liberty to touch at Pernambuco.—On the 29th, Brazilian brig "*Poderoso*," of 323½ tons, Gaspar Francisco, Master, crew 45, for Kacongo.—On the 8th of September, the same year, Brazilian schooner "*Ligeira*," of 167 tons, Manoel Pereira Sarmiento Master, crew 25, for Molembo.—On the 9th, Portuguese ship "*Sophia*," of 293 tons, Joaquim Ignacio do Livramento crew 47, for Kacongo, with liberty to touch at ports in Africa.—On the 12th of the same, Brazilian ship "*S. Benedicto*," of 245 tons, Jozé Antonio do Socorro Master, crew 27, for the Coast of the Mina.—On the 19th, Brazilian schooner "*Umbelina*," João Cardozo dos Santos Master, for Cabinda, crew 21, and tons 162.—On the 30th, Brazilian sumac "*S. Joao Segunda Rosalia*," of 71 tons, Prudencio Nogueira Master, crew 15, for the Coast of the Mina.—On 1st October, Brazilian schooner "*Diligencia*," of 192 tons, Jozé Antonio Master, crew 24, for Kacongo.—On the 2d of the said month, American brig "*Trufalgar*," of 133 tons, E. N. Thinckley Master, crew 10, for the Coast of the Mina.—On the 8th of the same, Brazilian schooner "*Aguia*," Francisco Pinto de Arango Vianna Master, for Molembo, crew 20, and 151½ tons.—On the 9th, American patach "*Bruton*," U. H. M. Niel Master, for the Coast of Africa, crew 10, and tons 160.—On the 13th, Brazilian sumac "*Nova Resolucao*," of 72½ tons, Januario Jozé da Cruz Master, crew 16, for Cabinda.—On the 19th, Brazilian schooner "*Campeadora*," of 152½ tons, Joaquim Luiz Croze Master, crew 21, for Kacongo.—On the same day, Brazilian schooner "*Trinidad*," of 189½ tons, Jozé Moreira de Lima Master, crew 18, for Cabinda.—On the 22d, Brazilian schooner "*Terceira Rosalia*," of 188½ tons, Joaquim Vieira dos Santos Master, crew 19, for Cabinda.—On the same day, Brazilian schooner "*Maria Thereza Primeira*," of 157 tons, Thomé Joaquim Rodriguez Palavra Master, crew 25, for Molembo.—On the 31st, Brazilian schooner "*Constitucao*," Francisco Nunes Lopes Master, for Molembo, crew 19, and 167½ tons.—On the same day, Brazilian brig-schooner "*Cutia*," Simão Pereira Master, for Kacongo, crew 26, and 190½ tons. On the 3d of November, the same year, Brazilian brig "*Lobo*," of 137 tons, Louis Clement Pothier Master, crew 38, for the Coast of Africa.—On the same day, Brazilian schooner "*Aguia*," of 151½ tons, Francisco Pinto d'Araujo Vianna, crew 18, for Molembo.—On the 9th of the same, Brazilian patach "*Princira Rosalia*," of 193½ tons, João Sabino, Master, crew 23, for Cabinda.—On the 15th, Brazilian brig "*Fortuna*," João Pinto de Souza, Master, for the Coast of the Mina, crew 30, tons 126.—On the 20th, Brazilian schooner "*Vingadora*," Lourenço Nunes Master, for Cabinda, crew 31, and tons 122.—

On the 22d, Brazilian brig schooner "*Temerario*," of 191½ tons, Jozé Maria dos Santos Sephalio Master, crew 29, for Cabinda.—On the 25th, Brazilian brig "*Orizonte*," of 113 tons, Cosme Jozé Rodrigues Master, crew 24, for the Coast of the Mina.—On the 28th, Brazilian brig "*Felicidade*," of 206½ tons, Antonio Vieira dos Santos Master, crew 23, for Molembo.—On the same day, Brazilian bark "*Felicidade*," of 261½ tons, Jozé Barbosa Master, crew 34, for Cabinda.—On the 29th, Brazilian schooner "*Flor d'Etiopia*," of 189 tons, Jozé Martins Vianna Master, crew 24, for Kacongo.—On the same day, Brazilian schooner "*Umbelina*," of 170½ tons, João Cardozo dos Santos Master, crew 20, for Cabinda.—On the 5th December of the same year, Brazilian schooner "*Clara*," of 103 tons, Francisco de Souza Master, crew 20, for the Coast of Africa.—On the 14th, Brazilian brig "*Bom Amigo*," of 331 tons, Francisco Theodoro Arraia Master, crew 24, for Cabinda.—On the 17th, Brazilian schooner "*Bom Sucesso*," of 65 tons, Jozé Vieira de Faria Master, crew 14, for the Coast of the Mina.—On the same day, Brazilian schooner "*Providencia*," of 109 tons, Jozé dos Reys Master, crew 23, for the Coast of the Mina.—On the 20th, Portuguese ship "*Fortuna*," of 292 tons, Jacintho Antonio Pereira Carneiro Master, crew 40, for Cabinda.—On the 21st, Brazilian schooner "*Carlota*," of 175½ tons, Jozé Francisco da Costa Master, crew 24, for Molembo.

And that thus may be manifest, wherever it may be convenient, I have passed the present.

Palace of the Government of Bahia, this 29th day of December, 1829.

(Signed) FRANCISCO JOAQUIM ALVARES BRANCO MONIZ BARRO,
Lientenant-Colonel,
At the orders of the Government.

Fifth Enclosure in No. 53.

Mr. Acting-Consul Weiss to the President of Bahia.

MY LORD,

British Consulate, Bahia, Nov. 24, 1829.

I HAVE the honour to request that your Lordship will be pleased to favour me with a list of Brazilian vessels, which have obtained passports at this Port for Africa, with license to import slaves, from the 30th September to the 15th instant, inclusive, the day on which, agreeably to His Imperial Majesty's Decree of the 1st October last, no further clearancy for vessels engaged in that traffick was to be granted.

I have, &c.

(Signed) CHARLES G. WEISS, Acting-Consul.
His Excellency the President of Bahia,
 &c. &c. &c.

Sixth Enclosure in No. 53.

Mr. Acting-Consul Weiss to the President of Bahia.

MY LORD,

British Consulate, Bahia, December 14, 1829

I HAVE the honour to acknowledge the receipt of your Lordship's despatch, dated 9th November (by mistake as it was in answer to mine of 24th November), with a list of such vessels as have obtained licenses of passports to trade on the Coast of Africa in slaves, from 30th September to 15th November instant.

On further consideration, and reference to the instructions received from His Britannick Majesty's Government, I have to request of your Lordship another list, stating the names of all vessels which have left this port for the Coast of Africa, from the 1st July last to this day, with the dates of their

passports, distinguishing such as have received passports for the purpose of trading in slaves, from those that have taken out passports merely for the purpose of trading in African produce or merchandize.

The list, which I have already received of vessels licensed for the slave-trade at this port, from 30th September to the 15th November, supersedes the necessity of furnishing again that part of the information now requested.

I have, &c.

(Signed) CHARLES G. WEISS, Acting Consul.

His Excellency the President of Bahia.

&c. &c. &c.

Seventh Enclosure in No. 53.

(Translation.)

The President of Bahia to Mr. Acting Consul Weiss.

Palace of the Government of Bahia,

December 17, 1829.

MOST ILLUSTRIOUS SIR,

IN consequence of what you state to me, in your despatch of 15th instant, I herewith transmit an account of such vessels as obtained passports from this Government for the Coast of Africa, both for the traffick in slaves, and for that in merchandize, from 1st July this year to the 14th instant, which has been drawn out in the manner pointed out by you.

God preserve you.

(Signed) VISCOUNT DE CAMAMU.

The Acting English Consul,

&c. &c. &c.

Eighth Enclosure in No. 53.

Mr. Acting Consul Weiss to the President of Bahia.

MY LORD,

British Consulate, Bahia, January 7, 1830.

I HAVE the honour to return thanks for the promptness, with which the lists of such vessels, as obtained licenses from this Government for the African trade, have been furnished to me.

On comparing these lists with an authentick statement of vessels which have actually sailed from this port for the Coast of Africa, it appears certainly extremely singular, that none of the vessels as mentioned in the enclosed list, licensed for carrying African produce only (*generos do paiz*), have ever left this port.

I am very unwilling to suppose, that the passports and licenses thus taken out for a licit commerce for vessels, which it appears never intended to sail, since some of the passports were taken out as far back as the 18th of July last, have been obtained under false pretences, and merely for the purpose of cloaking illicit voyages, or perhaps with a view of fraudulently obtaining indemnisation from His Britannick Majesty's Government in case of capture.

It appears, therefore, proper, before I transmit to His Britannick Majesty's Government the papers relating to the African trade, obtained from your Lordship, I should first endeavour to obtain information, how this singular circumstance may be reasonably accounted for, and I have now the honour to request of your Lordship such explanation, as may be necessary for that purpose.

I have, &c.

(Signed) CHARLES G. WEISS, Acting-Consul.

His Excellency the President of Bahia,

&c. &c. &c.

Eighth Enclosure (A.) in No. 53.

A List of Vessels which, having obtained Passports for a Licit Trade to Africa, have never sailed from this Port.

Date of Despatch.	Description.	Names of Vessels.	Names of Masters.
1829.			
July 18	Schooner -	Bom Fim - -	Joao Franc ^o . dos Santos.
" "	Brig - -	Leal Portuense -	Franc ^o . Theodoro.
" "	Schooner -	Maria Rosa - -	Izidoro Manoel.
" 22	Barque - -	Felicidade - -	Jozé Barboro Nunez.
" 24	Schooner -	Providencia - -	Joao da Silveira Villasboas.
" 30	Ditto - -	Carlota - - -	Jozé Franc ^o . Carreirao.
" 31	Brig - - -	Africano - - -	Manoel Ant ^o . Netto.
August 11	Ship - - -	Felicidade - -	Jacintho Pereira Carneiro.
" 12	Schooner -	Barbosa - - -	Jozé Claudio dos Santos.
" "	Ditto - -	Aurelia - - -	Ignacio Manoel d'Oliveira.
" 18	Brig - - -	Aguia - - - -	Ant ^o . Vieira Velasco.
" "	Schooner -	Aurelia - - -	Jozé Rodriguez Pereira.
" 21	Ditto - -	Triumphino - -	Pedro Jozé.
" 25	Brig - - -	Campeiro - - -	Gaspar Dupuy.
September 5	Schooner -	Francisca - - -	Honorio Machado d'Andre.
" "	Ditto - -	Trahira - - -	Manoel dos Santos.
" 19	Ditto - -	Carolina - - -	Joao dos Santos.
October 1	Ditto - -	Providencia - -	Jozé dos Reis.
" 8	Ditto - -	Amazona - - -	Joaquim Luiz da Cruz.
" 10	Ditto - -	Nova Providencia	Lourenço Franc ^o . Alcixo.
" 20	Ditto - -	Maria Thereza Seg-	Jozé Rabello.
" 21	Ditto - -	Independencia -	Francisco Lopez.
" 30	Brig Schooner	Triumpho - - -	Simeao Jozé Pereira.
November 3	Patash - -	Fel'z - - - -	Bernardo Jozé.
" 6	Schooner -	Heroína - - -	Jozé Maria dos Santos.
" 13	Ditto - -	Victoria - - -	Sebastiano Teixeira- Carvalheiro.
" 28	Ditto - -	Galega - - - -	Jozé Martins.
December 12	Brig - - -	Furao - - - -	Franc ^o . Theodoro Arraia.

Bahia, January 7, 1830.

Ninth Enclosure in No. 53.

The President of Bahia to Mr. Acting-Consul Weiss.

*Palace of the Government of Bahia,
January 18, 1830.*

MOST ILLUSTRIOUS SIR,

THE information, which I obtained from the Intendent of Marine and the Collector of the Customs, with respect to vessels which, having obtained passports for a licit trade to the Coast of Africa, never sailed from this port, and a list of which is annexed to your despatch of 7th instant, those two Authorities assert, that the said vessels were no doubt licensed, having been visited and undergone all legal forms according to custom, and in conformity to the Treaties confirmed by that of 1826; in consequence of which, having obtained the needful certificates of the local Authorities, they obtained, on production thereof, the competent passports from the Secretary of this Government. The reason why the Owners did not send the above-mentioned vessels to sea being unknown, and certainly, as you mention, it is not to be supposed that it was thereby intended to deceive, on any occasion, His Britannick Majesty's Government being sufficiently clear sighted, so as not to be misled under any pretext whatever. And this is what I have to reply to the despatch you directed to me on the 7th of this month.

May God preserve you,

(Signed)

VISCOUNT DE CAMAMU.

C. G. Weiss, Esq. His Britannick Majesty's Consul.

Tenth Enclosure in No 53.

Mr. Acting-Consul Weiss to W. Pennell, Esq.

SIR,

British Consulate, Bahia, February 8, 1830.

ENCLOSED I have the honour to transmit to you copies of lists of vessels, which have obtained licenses from the Government of this Province, to proceed to the Coast of Africa for slaves, as well as for trading in produce, from 1st of July to 31st December last. To this I have added an account of such vessels, as have actually left this port, during the same period, and copies of correspondence which I have had with the President on that subject.

From these papers it is evident, that not less than 28 vessels, ostensibly cleared out for the purpose of trading in produce, have never left this port at all; and from the copies of my correspondence with the President, you will observe, that he does not know how to account for this singularity. The fact is this, that, with a view of deceiving the British cruizers on the Coast of Africa, it has become a regular practice with the slave-merchants here, to take out 2 passports for every vessel sent to the coast, one with a license to deal in slaves, designating the real name, and another with a license to trade in produce only, under another name; thus the brig "*Fortuna*," No. 422, left this port under the name of the "*Esperança*;" the schooner "*Santo Antonio*," No. 431, under the name of "*Terceira Rosalia*;" the schooner "*Providencia*," No. 585, under that of "*Diligencia*;" the "*Leal Portuense*," No. 450, under that of "*Furao*;" and the schooner "*Maria Rosa*," No. 451, under that of "*Bahiana*."

These are the vessels, respecting which I have been able to obtain the most positive informations, and I have no doubt that all the rest have managed in the same way. My motives for taking such pains to ascertain the above facts, was to prevent the enormous frauds which have been practised, and will no doubt be tried again, on the British Government, by the slave-merchants soliciting, and in most instances obtaining, compensation for vessels captured by British cruizers on the Coast of Africa, vessels which have been sent out on illicit voyages by producing a register and license for a licit trade, obtained fraudulently, when their real object was nothing else but a slave voyage to and from a prohibited port. I trust, that before compensation in damages are allowed in future by the British Government to individuals claiming for vessels and cargoes taken on the Coast of Africa, it will be easy to ascertain whether such vessels have actually sailed from this port or not, if the plan I have adopted is approved of and followed up, and I have little or no doubt that the result of such an enquiry will save to His Majesty's Government all future compensations, that may be claimed by the unprincipled people concerned in this odious traffick.

I have, &c.

(Signed)

CHARLES G. WEISS, Acting-Consul.

*W. Pennell, Esq. His Majesty's Consul-General,
Rio de Janeiro.*

No. 54.

Mr. Acting-Consul Weiss to the Earl of Aberdeen.—(Received April 22.)

MY LORD,

British Consulate, Bahia, February 8, 1830.

ENCLOSED I have the honour to transmit to your Lordship, copy of my despatch, dated this day, to His Majesty's Consul-General at Rio de Janeiro, respecting the Portuguese slave-ship "*Sophia*."

I have, &c.

(Signed)

CHARLES G. WEISS, Acting-Consul.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

26.

Enclosure in No. 54.

Mr. Acting-Consul Weiss to W. Pennell, Esq.

SIR,

British Consulate, Bahia, February 6, 1830.

HAVING omitted to transmit to you, in my despatch 25th January last, a copy of the sentence given by the Judge on the case of the ship "*Sophia*," I have now the honour to enclose the same. This ship is now ready for sea, and, it is said, about to proceed to Rio de Janeiro, with part of the slaves she brought to this port; she is at present called "*Emilia*."

I have, &c.

(Signed)

CHARLES G. WEISS, Acting-Consul.

*W. Pennell, Esq. His Majesty's Consul-General,
Rio de Janeiro.*

Sub-Enclosure in No. 54.

(Translation.)

IN consideration of the depositions of witnesses, fol. 12, documents, fol. 21 and 22, and the annexed instruments, fol. 9, and informations from the respective Authorities, fol. 6 to fol. 8, which confirm the legality of the voyage of the vessel in question, and the purchase of the slaves having been effected at Kacongo to the south of the Line, not prohibited by the Treaty of the 28th of July, 1817, I adjudge the Act contained in fol. 1, to be irrelevant to this object, and to be separate and without suspension, on account of the infallible prejudice which must result from a delay of decision, slaves being perishable, and in consideration of what the publick revenue may suffer by the non-payment of duties, and in this manner the petition, fol. 34, is admitted.

(Signed)

AZEVEDO.

Bahia, January 14, 1830.

No. 55.

Mr. Acting-Consul Weiss to the Earl of Aberdeen.—(Received April 22.)

MY LORD,

British Consulate, Bahia, February 25, 1830.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 7th of December last, respecting the manner in which the Brazilian merchants intend to carry on in future the slave-trade, by importing them as colonists or servants, for a certain term of years, in consideration of money or goods lent to them, and with which they are to purchase their freedom.

I had been informed, long ago, that, shortly after the first discovery of this country, and the first settlements made here by the Portuguese, a Royal Decree was issued by the Portuguese Government, allowing blacks to be imported into this country from the Coast of Africa, such blacks to be bound to serve their Importers or Owners for the term of 10 years, and no longer; during that term to be taught some trade, so as to enable them to provide for themselves at the expiration of the same, and then to be free; and the teaching of them of such trade, and the benefit of Christianity conferred on them by baptism and religious instruction, to be considered as an adequate remuneration for the 10 years' services. Since the receipt of your Lordship's despatch, I have endeavoured to find that statute, but hitherto without success.

I entertain no doubt, however, that it exists; it certainly has now, and for a long time past, become quite obsolete.

May I be allowed to presume, that the existence of this law may have given rise to the report, that blacks are intended to be imported in future in the manner described in your Lordship's despatch. Should such a measure ac-

tually be resorted to, it must be intended to resort to the Cape de Verd Islands; for there only exist Authorities that could sanction contracts between master and apprentices, or servants, so as to give the transaction a colouring of legality.

On the other hand, it is quite evident, that the traffick in slaves is still intended to be carried on from Africa, but clandestinely, and to a less amount. I have been credibly informed, that it is the plan of the Importers to obtain French passports, by applying to accredited Agents of the French Government abroad, as at Gibraltar, &c., who, it seems, are authorized to grant licenses to carry the French flag, under certain circumstances and conditions; and it is believed, that, under that flag, the vessels employed will be much less liable to obstructions in their operations on the Coast of Africa.

Having escaped thence, their next point in view is, to reach any one of the numberless small ports on this coast, in many of which no Local Authorities exist, and where, even if there should be any, such transactions would not only be winked at, but would receive every assistance and encouragement.

In the opinion of those best informed on the subject, it will be impossible to destroy and abolish the African slave-trade effectually, unless such measures are agreed upon or resorted to, as will unavoidably expose the Owners and Importers residing in this country to the heaviest penalties.

I have, &c.

(Signed) CHAS. G. WEISS, Acting Consul.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 56.

The Earl of Aberdeen to Mr. Acting Consul Weiss.

SIR,

Foreign Office, May 4, 1830.

I HAVE received your despatches of this year's series of the slave-trade up to that of the 25th of February.

I am glad to be able to express to you my satisfaction with the zeal and activity, which you have manifested in your communications on this subject.

I am, &c.

Mr. Acting Consul Weiss, Bahia.

(Signed)

ABERDEEN.

No. 57.

Mr. Acting Consul Weiss to the Earl of Aberdeen.—(Received July 6.)

MY LORD,

British Consulate, Bahia, May 17, 1830.

SINCE I had the honour to address to your Lordship my despatch of 25th February, several vessels have left this port for the Coast of Africa, for the purpose, as it is stated, of trading in legal produce. There are 2 of them, however, which are strongly suspected of having gone on slaving voyages, namely, the schooner "*Angelica*," Joaquim Ignacio do Livramento Master, apparently owned by Antonio Francisco de Lacerda, a merchant of this place, but the real Owner and Captain is João Baptista Oreille, a native of France or Flanders, who formerly owned and sailed in the four-masted ship "*Sophia*," and who has already been frequently engaged and concerned, and, in fact, been the principal in similar transactions.

This individual is gone in the "*Angelica*," and has cleared out for the Cape de Verde Islands, taking a cargo of tobacco, and other articles, such as are generally carried for the purpose of purchasing slaves. The other vessel is called the "*Dous d'Octubro*," Manoel Pereira Silva, Master, and she also cleared out for the Cape de Verde Islands.

From such private information as I have been able to obtain, it appears, that these vessels intend to bring slaves in the manner pointed out in your Lordship's despatch of 7th of December last, namely, in the shape of apprentices, colonists, or servants, under indentures or contracts; and that they were going to try, if this object could be accomplished at the Cape de Verde Islands, and if they should fail there, then to try the Islands of St. Thomas and Principe; and in case of being unable to arrange matters there, to purchase at the former island, St. Thomas's, a Spanish flag, which it is reported may be easily obtained there at the price of about 600 Spanish dollars, and which flag they consider would at all events secure them from the punishment of piracy incurred under the Brazilian flag.

Besides these 2 vessels, 8 others have sailed for the coast with the usual cargoes; but I have not been able to ascertain, with any degree of accuracy, what their ulterior object may be; but as it would be a very difficult matter for them to obtain any other returns but slaves, for the amount of their cargoes, it is more than probable that they will attempt, by some means or other, to obtain such.

I have, &c.

(Signed) CHARLES G. WEISS, Acting Consul.

The Right Hon. the Earl of Aberdeen, K.T.

&c.

&c.

&c.

No. 58.

Mr. Consul Parkinson to the Earl of Aberdeen.—(Received Sept. 15.)

MY LORD,

British Consulate, Bahia, July 22, 1830.

I HAVE the honour to transmit, for your Lordship's information, a copy of a letter, addressed by me to his Excellency the President of this Province, regarding the Brazilian schooner "*Bahiana*," and I further transmit his Excellency's reply to my representation.

His Excellency, relying on information derived from the Judge of the Customs, is pleased to pronounce the transaction regular and founded in good faith. Such, however, is not the opinion of persons well acquainted with the acts and deceptions practiced by the parties engaged in the forbidden traffick.

Unfortunately for the ends of justice, the difficulty in obtaining direct evidence is so very great, as to give little hope of my being able to establish in proof the vehement suspicions attending this vessel.

Copies of the correspondence I have forwarded to His Majesty's Consul-General, and I now await his instructions with regard to ulterior representation or proceedings.

I have, &c.

(Signed) JOHN PARKINSON.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

First Enclosure in No. 58.

Mr. Consul Parkinson to the President of Bahia

SIR,

British Consulate, Bahia, June 15, 1830.

I BEG respectfully to call your Excellency's attention to the Brazilian schooner "*Bahiana*," which entered this port on the 9th instant, with a cargo of slaves.

She is stated to have had a passage of 93 days from Kaongo. This statement is utterly incredible, and must have been put forward for the pur-

pose of deception, and to screen the parties concerned from the penalties, attendant on carrying on the forbidden traffick, subsequent to the period limited by the Convention for its final abolition.

I cannot entertain a doubt, that your Excellency will concur with me in judging this a case requiring immediate and minute enquiry, and that you will be pleased to furnish me with the particulars resulting from such investigation.

I have, &c.

(Signed) JOHN PARKINSON, Consul.

His Excellency the President of Bahia,
&c. &c. &c.

Second Enclosure in No. 58.

(Translation.)

The President of Bahia to Mr. Consul Parkinson.

SIR,

Bahia, June 23, 1830.

I RECEIVED the official note, which you addressed to me on the 15th instant, calling my attention to the arrival of the schooner "*Bahiana*," in this harbour, with a cargo of slaves from Kacong, after 93 days' passage, which appears to you to be fallacious, and put forth in order to evade the provisions of the Treaty, by which traffick in slaves was terminated.

In order to give you a satisfactory reply, I directed myself to the Collector of the Customs of this City, and according to his report, as well in conformity with the declarations to this Government, I can assure you the best good faith has been practised; that it was not by an arbitrary authority that the slaves were allowed to land, but that they were landed in deposit, as humanity required, until the Owners should lawfully and clearly prove the legality of the voyage, which accordingly they have done before the Judge of the Custom-house.

They have given evidence of the clearance of the schooner from the before named port, on the 8th of March of the present year, and that the extraordinary delay of 93 days at sea, was occasioned by the death of the Master, whilst the Mate was incompetent to navigate the vessel properly. Thus the want of an Officer competently informed in navigation, left the vessel without the needful guide.

These various reasons have occasioned the order for the delivery of the slaves to their Owner, without at all infringing the Treaty and Conventions, which I shall religiously observe as leading objects of zeal and support.

God preserve you,

(Signed) LUIS PAULO D'ARANJO BARTO.

His Britannick Majesty's Consul, Bahia,
&c. &c. &c.

No. 59.

Mr. Consul Parkinson to the Earl of Aberdeen.—(Received November 30.)

MY LORD,

British Consulate, Bahia, September 25, 1830.

I HAVE the honour to transmit, for your Lordship's information, the copy of a correspondence between myself and the President of this Province, respecting the Spanish brig "*Almirante*," which "*cleared out*" from this port for the Coast of Africa, and the report I made thereon to His Majesty's Chargé d'Affaires at Rio de Janeiro.

I have, &c.

(Signed) JOHN PARKINSON,
Consul.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

First Enclosure in No. 59.

Mr. Consul Parkinson to the President of Bahia.

SIR,

British Consulate, Bahia, July 13, 1830.

I HAVE the honour to represent to your Excellency, that very serious doubts are entertained regarding the character and purposes of a brig, which entered this harbour on Sunday the 11th instant.

I will not, in the present state of the case, pronounce a decided opinion on the degree of weight to which these doubts are entitled, but I hold it to be my imperative duty to bring it officially to your Excellency's earliest attention, in order that strict enquiry may be instituted into her real character and destination.

The brig bears, or assumes, the name of "*Almirante*," is said to be under Spanish colours. She is evidently built for fast sailing, carries 14 guns, is described to have a crew of from 50 to 70 men, as well as to be otherwise fitted and appointed for services little allied to lawful commerce. Her declared voyage is from the Havana to Rio de Janeiro. With the recent intelligence derived from Rear-Admiral Sir Thomas Baker, C. B. commanding His Britannick Majesty's squadron at Rio de Janeiro, that a daring piracy has been committed on a British vessel in these latitudes; the utmost watchfulness is needed with regard to suspicious vessels.

I am fully persuaded, that these united facts and considerations will have due weight with your Excellency, and that the enquiry you were pleased to assure me verbally should be instituted, will be carried forward with all the speed and energy suited to the occasion.

I have, &c.

(Signed) JOHN PARKINSON, Consul.

*His Excellency the President of this Province,
Bahia.*

Second Enclosure in No. 59.

(Translation.)

The President of Bahia to Mr. Consul Parkinson.

*Palace of the Government of Bahia,
July 15, 1830.*

SIR,

I HAVE sent to the Dr. Juiz de Fora do Civel of this City the despatch you addressed to me, dated the 13th instant, regarding the brig "*Almirante*," in order to its being joined to the process, which, on that same day, was instituted by an order from this Government, and to be pursued as the Laws direct.

God preserve you.

(Signed) LUIZ PAULO D'ARANJO BARTO.

The British Consul in this City.

Third Enclosure in No. 59.

(Translation.)

*J. J. da Silva to Mr. Consul Parkinson.**Bahia, July 17, 1830.*

HAVING been charged, by the Government of this Province, to proceed judicially and according to law, against the Spanish brig "*Almirante*," in

consequence of the strong suspicions occasioned by her being armed, and having a numerous crew, and it being necessary for the legitimate investigation, that I should exhibit at the British Consulate the papers belonging to the brig, which is at this moment in my possession, for the purpose of their being scrutinized in a regular manner; I pray you to be pleased to attend at the Consulate this forenoon, where I will wait on you.

(Signed) The Judge de Fora do Civel,

JOAO JOAQUIM DA SILVA.

His Britannick Majesty's Consul,
&c. &c. &c.

Fourth Enclosure in No. 59.

Mr. Consul Parkinson to J. J. da Silva.

SIR,

British Consulate, Bahia, July 17, 1830.

I HAVE the honour to acknowledge the receipt of your letter of to-day's date, signifying your intention to produce, for my inspection, certain papers belonging to the Spanish brig "*Almirante*," in order to their being duly verified, under the circumstances of suspicion attending that vessel.

I have further to express to you my thanks for your readiness in carrying into effect this your intention, and I now have the honour to submit to you the following remarks, arising from a careful perusal of the said documents, or ship's papers:—the first and most important fact is, that the document, produced as a license for carrying arms, has no pretension to the character of a lawful document; it bears no seal of office, and it has no signature whatever.

The bill of lading is equally without signature, and makes no mention of the cannon-balls, which form part of her lading.

The ship's articles describe the numerous men of her crew as Spaniards: your own personal observation is evidence of inaccuracy in this point.

The Master, on entering this port, gave out that he was bound to Rio: his ship's articles declare Bahia and St. Thomé.

The bill of lading expresses for Bahia and Lagos, and enumerates articles forming a valuable cargo. Could it be allowed to clear the Custom-house of the Havana without a regular manifest? He has none;—this circumstance in itself affords ground for suspicion that the cargo may have been gathered together in an irregular way. The bill of lading, moreover, refers to a Charter Party which is not forthcoming.

Having thus complied with your request, in offering my observations on the papers you were pleased to place before me, I beg to add, that I shall hold myself at your command, should you require me to be present on any future examination.

I have, &c.

(Signed)

JOHN PARKINSON, Consul.

Joao Joaquim da Silva, Esq.

Juiz de Fora do Civel.

Fifth Enclosure in No. 59.

J. J. da Silva to Mr. Consul Parkinson.

SIR,

Bahia, August 4, 1830.

I HAVE just received your despatch of yesterday's date, to which I am bound to answer, that all the proceedings I instituted, regarding the Spanish brig "*Almirante*," grounded upon your remarks and compared with the examination of her hold made in the hatches, induce me to believe and judge the said brig to come under the suspicion of being destined for the contra-

band trade in slaves, acknowledging at the same time, that if it be so, it does not appertain to me to enquire into these suspicions, however well founded they may be, in reference to the stipulations of Treaties. This is all I have to observe in reply to you.

God preserve you.

(Signed) The Judge de Fora do Civel,
JOAO JOAQUIM DA SILVA.

John Parkinson, Esq.
&c. &c. &c.

Sixth Enclosure in No. 59.

Mr. Consul Parkinson to the President of Bahia.

*British Consulate, Bahia,
August 5, 1830.*

SIR,

I FEEL it my duty to transmit to your Excellency the copy of a letter, which I have had the honour to receive from Senhor João Joaquim da Silva, the Judge de Fora do Civel, to whom you referred the enquiry into the real character of the armed brig, under Spanish colours, described as the "*Almirante*" of the Havana.

Your Excellency will be pleased to remark, that the Judge *does not* express an opinion, that the brig is *not a pirate* as suspected. She is unacquitted from the original suspicion; at the same time the Judge candidly admits his belief and judgment, that she is destined for the contraband traffick in slaves. Having fulfilled my duty in again bringing this matter under your Excellency's observation, it remains for your Excellency to determine, whether a suspicious vessel, under a foreign flag, may in this port enjoy the advantages and facilities appertaining to lawful commerce, whilst her papers are informal, and the competent Brazilian Authority, on investigation, declares his belief, that she is destined for a traffick to be "deemed and treated as piracy," in the subjects of Great Britain, the subjects of the Brazils, and the subjects of the very nations to whom the brig in question belongs.

I have, &c.

(Signed) JOHN PARKINSON, Consul.

*His Excellency the President of this Province,
Bahia.*

Seventh Enclosure in No. 59.

(Translation.)

The President of Bahia to Mr. Consul Parkinson.

*Palace of the Government of Bahia,
August 12, 1830.*

SIR,

I RECEIVED your despatch, bearing date the 5th instant, in which you enclose the copy of another, from the Judge de Fora do Civel of this City, shewing your continued suspicion of the Spanish brig "*Almirante*," and pretending that the advantages and facilities appertaining to lawful commerce in this port should be denied to her, on the persuasion that her papers are illegal, and that you suspect her to be destined for the slave-trade. I certainly cannot agree with what you state in the said despatch; because the competent Judge has pronounced the brig free from the crime of piracy, of which it was accused, and, therefore, in rigorous justice, no procedure can be taken against her, much less measures so violent, on account of a commercial speculation, which, after all, exists only in the imagination; but, even were there documents on which to found such suspicion, they would not be sufficient; for the Empire of Brazil is not bound by any Treaty, to watch over the conduct of other nations in this particular, and consequently it would be against the rights of nations to violate the duties of hospitality, and more especially, under the circumstances of the case, to enforce them against the brig in question.

Finally, you are incorrect in asserting, that the traffick in slaves should be condemned, and treated as piracy, in the subjects of the Brazil, the subjects of Great Britain, and of the very nation to which the brig in question belongs; for, by the Convention between His Imperial Majesty and His Britannick Majesty, it is stipulated, by the 1st Article, that the continuation of the slave-trade, practised after the expiration of the stipulated 3 years, by any person whatever, a subject of His Imperial Majesty, shall be considered and treated as piracy; but this Article relates solely to the two High Contracting Parties; it gives no right to other nations, and much less does it bind them; it being a principle of right that contracts are obligatory only on the Contracting Parties. Viewing all these reasons, founded on the recognised laws of evidence, you must see that the ports of the Brazil cannot adopt any other measures against the before-named brig, without violation of the laws of nations.

If the brig go out in order to carry on the traffick in question, and shall do any act proving her purpose, then the protectors of humanity may proceed as the laws allow, and as circumstances may permit.

I have the pleasure to express to you the assurance of my extreme consideration, and to promise you my co-operation whenever it may be needed, and the laws admit of its exercise.

God preserve you.

(Signed)

JUIZ PAULO D'ARANJO BARTO.

The British Consul in this City.

Eighth Enclosure in No. 59.

Mr. Consul Parkinson to the President of Bahia.

SIR,

British Consulate, Bahia, August 17, 1830.

I HAVE the honour to acknowledge the receipt of your Excellency's despatch of the 12th instant, conveying your opinion regarding the Spanish armed brig "*Almirante*." The enquiry, in every point of view, is so important, and may lead to such serious responsibility, that I need offer no apology for requesting your renewed attention to the real objects at issue.

The "*Almirante's*" papers are undeniably irregular; she has neither manifest nor port clearance, nor a valid license to carry arms, and her "*passa porte*," or certificate of registry, is dated 5 years back; whilst it is notorious (I state it on authority) that this very same vessel was captured, condemned by the Mixed Commission at Sierra Leone, and there sold as lawful prize. This operation of necessity invalidated her original certificate of registry, and it is not too much to assert, that its production, in the present instance, is a matter of serious suspicion. If vessels, under such equivocal circumstances, be entitled to fit out, and to enjoy the protection of this port, it becomes an important question for determination, to what vessels such protection can or will be refused. Is it only to such as have consummated the crime of piracy?

The opinion, that the "*Almirante*" is fitting out for the traffick in slaves, is derived from the Judge appointed by your Excellency, to ascertain the real character of the vessel. It is not for me to question the accuracy of his opinion, founded on actual survey.

Your Excellency, however, if I mistake not your meaning, deems this of small or no significance, and you are pleased to inform me, that even were there documents in proof that such suspicion was well founded, the Empire of Brazil is not bound by any Treaty to watch over the conduct of other nations in the traffick, made contraband to the subjects of the Brazils and Great Britain. I will not pretend to answer this argument, but I will ask permission to draw your Excellency's attention to the Avizo, or Royal Order, dated Rio de Janeiro, 17th February, 1817, being one of the explanatory Articles alluded to, and confirmed by the 2d Article of the Convention of the 23d November, 1826.

The fitting out of Spanish vessels for the slave-trade, as therein expressed, is forbidden in the ports of the Brazil.

Your Excellency will admit, I doubt not, that I have reason to look for the co-operation of His Imperial Majesty's Authorities, supposing the object of the "*Almirante*" to be a mercantile speculation, which, in every sense of the word, is contraband, and I venture to hope that your Excellency will agree with me in thinking it expedient, for the interest of lawful commerce, to impose some restraint on suspicious vessels, over-manned, and over-armed, and calculated to pursue with success the increasing practice of piracy.

As my letter of the 5th instant does not state that the traffick in slaves is made piracy in Spanish subjects by the Convention of the 23d November, 1826, I am to presume that your Excellency's misapprehension on that head, may arise from an error in the translation.

I beg to assure your Excellency that I am, &c.

(Signed)

JOHN PARKINSON,

*His Excellency the President of this Province,
Bahia.*

Consul.

Ninth Enclosure in No. 59.

(Translation.)

The President of Bahia to Mr. Consul Parkinson.

SIR,

Palace of the Government of Bahia, August 18, 1830.

I HAVE received your despatch of the 17th instant, in which you claim my attention to the Spanish brig "*Almirante*." In reply I have to inform you, that, according to the laws of the Empire, this affair was brought before Judicial Authority, where the competent Judge decided the said brig to be free, as he made known to you, and consequently the President of the Province possesses no faculty to interfere in the matter. My detention of the brig after she has been judged, would be arbitrary and contrary to the rights of nations.

You persist in suspecting this brig to be destined to the commerce or traffick in slaves. As to this matter, I have already told you, and I repeat it, that the Brazil is not obliged to fiscalize the conduct of other nations in such cases, and never on suspicion can she proceed to acts so serious and of such responsibility against the subjects of a friendly and allied nation. Nevertheless, the Brazil lends no aid or favour towards such traffick, and thus she literally carries into execution the Avizo of the 17th of February 1817, which prohibits the fitting out in the ports of the Brazil, of Spanish vessels destined to carry on the traffick in slaves, by which is meant, warlike armament, or the appointments and needful utensils for such commerce; but to deny to a vessel, already in the port, free egress, when she possesses and has presented her respective passports, judged to be legal by the competent authority, and to refuse permission to her to carry on lawful trade with the productions of the country, is not an act that justice or the rights of nations can at all authorize for a mere suspicion of future illegality. In such a case the means are different.

If I stated to you in my despatch of the 12th instant, that Brazil is subjected to the heavy penalty of piracy for trafficking in slaves, according to the Convention of the 23d of November 1826, (Art. 1st) and consequently that from this Article, no rights or obligations result, as against other nations, for it would be against all right, that a contract should be obligatory on those who are not parties to the contract, it was because in your letter of the 5th instant, to which mine was an answer, you stated that the traffick in slaves was to be deemed and treated as piracy in the subjects of the Brazil, the subjects of Great Britain, and the subjects of the very nation, to which the brig in question belongs.

Finally, I have to inform you, that I have given an account of the whole of this business to His Majesty the Emperor, whose approbation I hope to receive, as well as his orders for future cases.

God preserve you.

(Signed)

LUIS PAULO D'ARANJO BARTO.

His Britannick Majesty's Consul, Bahia.

Tenth Enclosure in No 59.

Mr. Consul Parkinson to the President of Bahia.

SIR,

British Consulate, Bahia, August 23, 1830.

I FIND myself honoured by your Excellency's despatch of the 18th instant, in reply to mine of the 17th, regarding the suspicious Spanish vessel "*Almirante*."

It is not a little remarkable in this enquiry, that the opinion I have conveyed, regarding this armed vessel's being fitted out in this port, for the purpose of carrying on the prohibited traffick in slaves, is derived from the very Functionary, the Juiz de Fora do Civel, whose report to yourself would seem to impress your Excellency with the conviction that she is a legitimate trader.

Whatever sentence that Judge may have given, his letter to me is undeniable evidence of what I have stated; nevertheless, I shall be much obliged if your Excellency will communicate the particulars of the judicial enquiry, and the sentence to which you refer, and on which you so rely, as they may abate the suspicions excited, which I confess, are far from moderated by the reference you are pleased to make to general principles of national law and policy, principles in themselves indisputable, but having little or no bearing on the case of the "*Almirante*," provided the Juiz de Fora's surmises be well founded, that she is fitting out for the slave-trade; a violation of the Aviso of the 17th of February 1817, which he declares himself incompetent to restrain.

I am sorry to observe, that your Excellency continues to labour under misapprehension, as to the meaning of the final phrase in my letter of the 5th instant.

The Convention of the 23d of November, 1826, fixes and defines the period for the total abolition of the African slave-trade, so far as relates to the *dominions* and subjects of the Brazilian Empire. That period was the 13th of March last, after which it became unlawful for the subjects of the Emperor of Brazil, to be concerned in the carrying on of the African slave-trade, under any pretext, or in any manner whatever, and the carrying on of such trade after that period by any person, subject of His Imperial Majesty, is declared to be deemed and treated as piracy.

The penalty against British subjects so offending is to be found, *not* in the Convention, as your Excellency imagines me to mean, but in the Act of the British Parliament, (5 Geo. IV. cap. 113.) wherein the King's subjects, so offending, are deemed and adjudged guilty of piracy, felony, and robbery, and being convicted, shall suffer death.

Finally, the penalty on Spanish subjects (without resting on the 273d Art. of the Penal Code) is not to be sought in the Convention between Brazil and Great Britain, but in its legitimate place, the Royal Orders of His Most Catholic Majesty.

I trust, that this explanation will relieve your Excellency from further doubts regarding the true meaning of my words.

I have, &c.

(Signed) JOHN PARKINSON, Consul.

His Excellency the President of this Province, Bahia,

&c.

&c.

&c.

Eleventh Enclosure in No. 59.

(Translation.)

The President of Bahia to Mr. Consul Parkinson.

SIR,

Palace of the Government of Bahia, August 26, 1830.

IN my despatch of the 18th instant, I have already told you, that I had submitted to His Imperial Majesty the affair of the Spanish brig "*Almirante*."

This is all I have to say to you, in reply to your dispatch of the current month, without a date.—(23d August.)

God preserve you.

(Signed)

LUIS PAULO D'ARANJO BARTO.

The British Consul in this City.

Twelfth Enclosure in No. 59.

Mr. Consul Parkinson to A. Aston, Esq.

SIR,

British Consulate, Bahia, Sept. 4, 1380.

I HAVE the honour to transmit to you the copy of a correspondence between the President of this Province and myself, regarding a suspicious vessel which recently entered this port. The enclosures record the object I had in view, and they may enable you to determine whether I was justified in looking for greater alacrity on the part of the President, and expecting from him the particulars and sentence on which his reasoning rests.

The "*Almirante*" happening to be in port during the time that His Majesty's ships "*Druid*" and "*Volage*" were here, I am enabled to say, that both Captain Hamilton and Captain Lord Colchester expressed their opinion, that she had every appearance of a piratical vessel. I have, moreover, the express assurance of Mr. Kirby, (invalided from His Majesty's ship "*Sybille*,") that the "*Almirante*" is the identical vessel captured by His Majesty's ship "*Black Joke*," and condemned and sold under the authority of the Mixed Commission at Sierra Leone. Her Consignee here is Joaquim Gonçalves Rapozo, who completed her cargo with tobacco. Gunpowder and tobacco constitute the great bulk of her lading, and they pretty sufficiently bespeak the nature of her intended commerce. During her stay here she was joined by a large American vessel "*Latona*," pierced for 18 guns. She likewise loaded tobacco. The "*Almirante*" sailed 48 hours after the departure of His Majesty's ships "*Druid*" and "*Volage*," and shortly afterwards the American followed, after which they were seen in company, and bore down on an English vessel (the "*Margaret*,") bound from Liverpool to this port.

I have reason to believe that the Juiz de Fora, João Joaquim da Silva, is considered to have been too communicative in his conversation and correspondence with me; and I cannot but attribute the President's withholding the sentence of this Judge to some awkward diversity between it and his conversation, and his official letters to me. I am, &c.

Arthur Aston, Esq.
&c. &c. &c.

(Signed)

JOHN PARKINSON, Consul.

No. 60.

Mr. Consul Parkinson to the Earl of Aberdeen.—(Received Nov. 30.)

MY LORD,

British Consulate, Bahia, September 26, 1830.

I HAVE the honour to inform your Lordship, that 2 Brazilian brigschooners sailed from this port yesterday for the Coast of Africa, both fine fast sailing vessels, which heretofore have been successfully employed as slavers by the same Owner, Señor Jozé de Sequiera Lima.

They carry the usual cargo of tobacco, rum, and other merchandize, suited to the African markets.

The first is named "*Carlotta*," Antonio Lacerda Peixoto Master, crew 32 men, tonnage stated to be 160. She returned from her last voyage to Africa on the 29th of March last, with a cargo of 279 slaves, and then stood rated at 175½ tons.

The second bears the name of "*Constituição*." She returned from the Coast on the 2d of April last, with a declared cargo of 28 bales of cloth. Her present Master is João Francisco Carneiro, her crew 32 men, and stated tonnage 180. In the official returns I find her rated at 174½ tons.

I have no authority to state, that these vessels are intended for the slave-trade; nor have I any reason to believe that they have undergone such change of construction, as to unfit them for their original purpose.

I have, &c.

(Signed)

JOHN PARKINSON, Consul.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 61.

Mr. Consul Parkinson to the Earl of Aberdeen.—(Received November 30.)

MY LORD,

British Consulate, Bahia, October 4, 1830.

I HAVE again had occasion to call the attention of this Government to the case of a vessel, which is vehemently suspected to be destined to carry on the traffick in slaves.

The main facts appear in my despatch to the President of Bahia. His Excellency's reply is given in Enclosure No. 2.

That the brig was a Brazilian slave-ship, is admitted. She was built expressly for the trade, and provided with the needful apparatus.

I apprehended that, under these circumstances, it was the duty of the Authorities, on her return under a new, and that a *Spanish*, flag, to fiscalize her scrupulously.

This not having been done, it may be reasonably inferred, that the Spanish brig "*Joven Maria*," retains the fittings and appointments which she possessed under her Brazilian character and name of "*Felicidade*." Here she is to take in water, provisions, and merchandize, which, if I mistake not, is "fitting out."

His Excellency the President professes to think otherwise, and appears to imply that fitting out "is arming."

I shall most gladly avail myself of the earliest occasion to inform your Lordship, that the President has given proof of the sincerity of his professions to repress the slave-trade.

I am, &c.

(Signed)

JOHN PARKINSON, Consul.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

First Enclosure in No. 61.

Mr. Consul Parkinson to the President of Bahia.

SIR,

British Consulate, Bahia, September 20, 1830.

I REGRET to be again under the necessity to call your Excellency's attention to a vessel, which has recently entered this port.

On the 16th instant a rakish brig, pierced for 18 guns, entered this port, under Spanish colours. She is declared to be the "*Joven Maria*," of 114 tons, Antonio Gonçalves Carvajal, Master, with a crew of 26 men, Jozé Jorge Ribiero, passenger, with a slave married, "Symphronio Maria."

It is matter of perfect notoriety, that this brig, originally a French slave-vessel, has long been engaged in the slave-trade, as Brazilian, from this port, under the name of "*Felicidade*." Regarding the purpose, for which she is constructed, there can be no doubt. Nor is there any doubt that the so called passenger, Jozé Jorge Ribiero, was Master of her, when, on the 29th of May last, she cleared out for Parà (Havana), her tonnage being rated 206½ tons.

Whatever weight your Excellency may attach to these facts, I cannot but look on them as affording presumptive evidence of her being intended to load and victual, or, in other words, "*fit out*," in this port, for the forbidden traffick in slaves, which would be a manifest infraction of the Royal Order, dated Rio de Janeiro, 17th February, 1817, prohibiting all Spanish vessels from fitting out in the ports of the Brazils, for the purpose of trading in slaves; and declaring it necessary for the Authorities to whom it belongs to fiscalize the cargo and preparations of such vessels, and to take every measure they may judge necessary to secure the full effect of the prohibition.

I am, &c.

(Signed)

JOHN PARKINSON, Consul.

His Excellency the President of this Province, Bahia,

&c.

&c.

&c.

Second Enclosure in No. 61. (Translation.)

*The President of Bahia to Mr. Consul Parkinson.**Palace of the Government of this Province,
Bahia, September 28, 1830.*

SIR,

I HAVE now occasion to give you a full answer regarding the contents of your despatch of the 20th instant, in which you express the suspicions you entertain, respecting the Spanish brig "*Joven Maria*," which you imagine to be destined for the slave-trade, and claiming my attention to the Aviso of the 17th of February 1817; on which subject I must tell you, that, in consequence of the information which has reached me from the Collector of the Customs, I am fully satisfied that the said brig was formerly employed as Brazilian in the traffick in slaves, under the name of "*Felicidade*," her Owner, after the abolition of that trade, having sent her to Pará, from which place she went to the Havana, and was there sold, together with her cargo, all which might be done by the said Owner, because every one is free to dispose of his own property, and consequently her entering this port on the 17th instant as Spanish property, accompanied by a passport and legal papers, gives her a right to enjoy the guarantees to which she is entitled. Therefore, to this vessel the Aviso of the 17th of February, cited by you, is not applicable, as she does not come hither to arm in this port, which never would be consented to by me. Certain it is that she loads goods for the consumption of Europe, and intends to sail for Cadiz. No reason exists to entertain suspicions of a vessel having a crew of scarcely 20 men, including the Master, with which number it is certainly impossible to carry 18 guns; and it would be hard, and against the rights of nations, thereupon, to entertain any proceeding which might incommode the commerce of a foreign vessel, which is entitled to full protection in a free country, whose laws are its greatest strength. Rely upon the good faith of this Government, which has the most positive orders to obstruct measures intended to elude the Treaty for the suppression of the slave-trade, and it will be the first to guard against its being violated in any manner whatever.

God preserve you,

(Signed) LUIS PAULO D'ARANJO BARTO.

*John Parkinson, Esq.**His Britannick Majesty's Consul, Bahia.*

No. 62.

Mr. Consul Parkinson to the Earl of Aberdeen.—(Received December 16.)

MY LORD,

British Consulate, Bahia, October 13, 1830.

I HAVE the honour to transmit to your Lordship the enclosed account of vessels, which have arrived with slaves from the Coast of Africa, at this port, within the half-year ending June last.

It has been out of my power to ascertain accurately, what part of Africa these vessels actually came from, but I can state that they are chiefly from the Ports of Onim, Bonny, New Calabar, &c., and that all are from prohibited ports.

I have, &c.

(Signed) JOHN PARKINSON, Consul.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 62.

Return of Slaves imported into Bahia, from January to June, 1830.

(Jan. 1.)—Brig-schooner Brazilian "*Conceição*," Antonio Jozè Pereira Master, from Cabinda, in 23 days; with 163 slaves, tonnage 78½.

(Jan. 4.)—Schooner "*Primeira Estrella*," of $94\frac{7}{100}$ tons, Jozé dos Santos Ferreira Master, from Molembo in 33 days; cargo 107 slaves; passenger, Angelo Custodao Ribiero, Brazilian.

(Jan. 7.)—Schooner "*Santa Cruz*," of $138\frac{1}{2}$ tons, Joao Francisco Carneiro Master, from Molembo in 35 days, cargo 128 slaves, of whom 2 died on the passage.

(Jan. 14.)—Brig "*Dous Amigos*," of $145\frac{72}{110}$ tons, João Mauricio Belem Master, from Angola in 26 days, cargo 278 slaves, besides 9 died on the voyage.

(Jan. 14.)—Brig "*Feliz Bahiano*," of 347 tons, Izidoro Martins Braga Master, from Ambriz in 25 days; cargo 557 slaves, besides 75 who died on the passage.

(Jan. 14.)—Brig "*Sem Igual*," of 117 tons, João Garcia Master, from Ajuda, having touched at Prince's Island, in 23 days, cargo palm-oil, and other produce; passengers, Francisco Furtado de Novau, of St. Thomas' Island, with a servant, Fortuna Manuel; Jozé Gervasio de Carvalho, and Marcelino Francisco das Chargas, nauticals; Jozé Martins of Portugal, employed in commerce; and also 4 white seamen, and 4 others, black, who had been captured by a British cruizer; Lauriano Luiz Lucao, and Thomé, servants belonging to the Major Manoel Gomes da Silva; Manoel and Antonio, to Thomas de Souza Mendez; Valentin, Francisco, Ligeiro, João Calisto, Manoel, Antonio, Secondino, Joaquim, Jozé, Lazaro, Gregorio, Francisco, Alexander, Manoel, and Anastanio, to the Colonel Jozé Ferreiro Gomes; Agostenho, João, João Maria, Manoel, Manoel Jozé, and Garcia, to the Colonel Jozé Ribiero d'Assa Gastao, all being black men, coming hither to *learn different trades*, bearing with them their respective passports.

(Jan. 17.)—Schooner "*Ligeira*," of $169\frac{1}{4}$ tons, Manoel Pereira Sarmento Master, crew 25, from Molembo in 35 days; cargo 392 slaves, besides 5 who died on the passage.

(Jan. 17.)—Brig "*Bom Fim*," of 275 tons, João Jozé da Fonseca Master, from Ambriz in 21 days; cargo 438 slaves, besides 42 who died on the passage.

(Jan. 20.)—Brig "*Paquete Africano*," of 156 tons, Miguel Antonio Netto Master, from Cabinda in 23 days; cargo 340 slaves, besides 6 who died on the passage.

(Jan. 23.)—Schooner "*Terceira Rosalia*," Joaquim Vieira dos Santos Master from Cabinda in 24 days; cargo 253 slaves, besides 24 who died on the voyage.

(Jan. 25.)—Brig "*Triumpho da Inveja*," of $186\frac{1}{2}$ tons, Miguel Jozé Neves Master, from Molembo, in 31 days; cargo 185 slaves, besides 4 who died on the voyage.

(Jan. 27.)—Brig "*Esperança*," of $196\frac{1}{4}$ tons, Jozé da Silva Rios Master, from Cabinda in 21 days; cargo 422 slaves.

(Jan. 31.)—Schooner "*Maria Theresa*," of 180 tons, Thomé Joaquim Roiz Palavra Master, from Molembo in 28 days; cargo 315 slaves, besides 20 who died on the passage; passenger, Jozé Maria da Costa Pimental, seaman.

(Feb. 20.)—Schooner "*Orpha*," of $192\frac{1}{2}$ tons, Jozé da Silva Master, from Cabinda in 22 days; cargo 256 slaves, besides 1 who died on the passage; Jeronimo da Rocha, passenger free, and Victorini Carneiro, black slave.

(Feb. 24.)—Brig-schooner "*Triumpho*," Simão Pereira Master, from the Coast of Mina in 28 days, in ballast; passengers, Bernardo Jozé Pinto, Mate of the schooner "*Umbelina*," captured by a British cruizer, and 18 other persons belonging to the crew of the same schooner Jozé Antonio Goncalves, Mate of the schooner "*Primeira Rosalia*," and 23 other persons belonging to the same, who also had been captured; Joaquim Baptista Imbruna, and 2 slaves.

named Miguel and Joaquim; Luiz de Matos Guimaraes, Francisco Antonio Pinto, Severo Leandro de Arango Franco, Luiz Cardozo de Freitas, and Jozé dos Santos Ferreira; Brazilian, Simphronio Domingo Olimpio dos Martinez.

(Feb. 24.)—Barque "*Felicidade*," of 261 tons, Jozé Barbosa Master, from Cabinda in 27 days; cargo 258 slaves, besides 1 who died on the passage.

(Feb. 28.)—Schooner "*Maria*," of 114 tons, Francisco de Souza Master, from Cabinda in 28 days; cargo 309 slaves, besides 21 who died on the passage.

(March 4.)—Ship "*Fortuna*," of 282 tons, Jacintho Antonio d'Oliveira Carneiro Master, from Cabinda in 33 days; cargo 268 slaves; passengers, Eloi Francisco do Espirito Santo, and Jozé Marques d'Oliveira, with his son Jozé Nicolão, and a servant, Henrique de Carvalho, all being free black men, merchants; Manuel Joaquim and Lino, children who came for the purpose of being educated.

(March 5.)—Brig schooner "*Temerario*," of 191½ tons, Jozé Maria dos Santos, Master, from Cabinda in 30 days; cargo 320 slaves, besides 23 who died on the passage.

(March 9.)—Brig "*Felicidade*," Antonio Vieira dos Santos, from Molembo in 26 days, cargo 490 slaves, besides 9 who died on the passage; of 206½ tons.

(March 15.)—Schooner "*Campeadora*," Joaquim Luiz Crose, from Kaconga in 41 days; cargo 240 slaves.

(March 17.)—Schooner "*Aguia*," of 50 tons, Francisco Pinto de Arango Master, from Molembo in 35 days; cargo 4 bags of cloths, 2 barrels of palm-oil, and 2 others of soap.

(March 29.)—American brig "*Trafalgar*," of 133 tons, E. W. Hinckley Master, from Unim in 35 days; cargo palm-oil and cloth; passengers, André Estacio de Souza, Lieut. of Militia; Jozé Leal Bahia, André Gomes de Vasconcellos, Domingo Gomez Villaca, Manoel Ignacio de Conceicao, merchants; João Pereira de Castro, Jozé Ferreira da Maia, Eustaquio Joaquim da Silva, João Celho da Silva, Mathias Baptista de Carvalho, Joaquim Telles Menezes, Severino da Silva Torres, Jozé Machado and Joaquim Jozé Perreira de Alres, with two slaves, all seamen; Simão George, Cook; Manoel Jozé de Santabana, Surgeon; Marcellino de Matos Silva, Feliciano Jozé de Barros, Joaquim de Santa Anna, Gabriel Auchengo de St. John, Tailors; all Brazilian;—Bernardo Meirelles, Felipe Serra, Domingos Gomes, Barbers; Manoel Guillermo and Francisco Simoes, Jeronimo Antonio, Ventura Ferreira Milles, Pedro Ferreira, João Luiz Ferreira, and 1 slave, Joaquim das Neves, cooks; Bento Gomes de Souza and Jeronimo Jozé de Souza, seamen; Domingos Joaquim and Manuel Francisco do Nascimento, tailors; Jozé de Andrade, Benedicto Guerino, Joaquim Duarte, Caetano Manoel Dias, Belisario Jozé da Maia, Bento Rodriguez, Marcellino Manoel Francisco Ernesto Moniz Barreto, and Ignacio Carneiro de Campos, merchants; Firmino Alvarez Guimarães silk thrower; Jose Correa and Francisco Perreira, masons; Alexandre Lopes and Bento Simão, calkers; Lourenço Antonio, rocket-maker; Luiz de Souza and João Procopio, coopers; all being free black men, natives of the Coast of Mina. It brings also 3 slaves belonging to different Owners.

(March 29.)—Schooner "*Flor de Ethiopia*," of 189 tons, Joaquim dos Anjou e Mattos Master, from Kacongo in 49 days; cargo 129 slaves; Simão Soares de Magallães, Jozé Catisto, and Jozé da Costa, passengers.

(March 29.)—Schooner "*Carlota*," of 175½ tons, Jozé Francisco da Costa Master, from Molembo in 27 days; cargo 279 slaves, besides 6 who died on the passage; passengers, 2 seamen belonging to the crew of the schooner "*Guia*," captured by a British cruiser.

(April 2.)—Schooner "*Constituição*," Francisco Nunes Lopes Master, of 174 tons, from Molembo in 81 days; cargo 28 bales of Coast cloth; passenger, André Rodriguez Ranna, a sick Portuguese.

(April 5.)—Schooner "*Trinidade*," of 189½ tons, João Moreira de Lima Master, from Cabinda in 37 days; cargo 110 slaves.

(April 8.)—Brig "*Bous Amigos*," Francisco Theodoro Arraia Master; tons 331; from Cabinda in 43 days; cargo 457 slaves.

(April 8.)—Sumac "*S. Joao Segunda Rosalia*," of 71 tons, João Antonio Nogueira Master, from the Coast of Africa in 41 days; cargo 16 bales of merchandize, and 6 others of Coast cloth, and 6 barrels of palm-oil; Antonio Francisco da Costa, passenger.

(April 17.)—Schooner "*Vingadora*," of 122 tons, Lourenço Nunes Master; from Cabinda in 36 days; cargo 180 slaves, besides 14 who died on the passage.

(April 17.)—American pinnace "*Burton*," of 180 tons, — M'Neille Master; from the Coast of Africa; cargo, palm-oil and other goods; passengers, Manoel Francisco, Firmino Rodrigues Nunes, and Manoel Pinto Bahia, seamen; Bento d'Oliveira, merchant; and 7 free black men, who were at the Coast.

(May 22.)—Schooner "*Bom Successo*," of 65 tons, Jozé Viera de Faria Master; from Ajuda in 26 days; cargo, ballast.

(June 10.)—Schooner "*Bahianna*," of 92 tons, Manoel Jozé Ribeiro Master; from Kacongo in 93 days; cargo, 185 slaves, besides 21 who died on the passage.

(June 18.)—Ship "*S. Benedicto*," of 245 tons, Jozé Antonio de Socorro Master; from Ajuda in 23 days; cargo, palm-oil and other goods; passengers, Pedro Jozé de Uraga and Francisco Guerra, Spanish men; Jozé da Rosa Ferreira, Venancio Antonio da Rosa, Tiburcio Vianna, and Ignácio d'Oliveira, all nautical men; Manoel Jozé Teixeira, Jozé Pedro Marques de Lis, and a slave, Angelo, Brazilian merchants; the black men, Joaquim de Meirilles, João Nunes de Barros, Manoel Correa da Costa, and Jozé Ignacio, without employment; Candido Fernandez das Merces, carpenter; Innocencio de Etranjo de Santa Anna, barber; Euzebio de Jesus Maria, cooper; Bento Martins da Costa Guimaraes and Luiz Ferreira dos Santos cooks; Manuel Lourenço, Antonio dos Anjos, Elias Pinheiro, Joaquim Martins, Domingos Maia, Jozé Roiz, Jozé Pires, Antonio Jozé da Cunha, and Luiz de Cerqueira, seamen; Lourenço Roque carpenter; Miguel da Silva caulker; and João Vieira silk-thrower; and also the following slaves:—Felix, of Francisco Nicolao; Jozé, of Innocencio d'Etranjo; Roberto and Rafael d'Oliveira, of Joaquim Jozé d'Oliveira.

(Signed) LADISLAO DOS SANTOS TITARA.

Register of the Port of Bahia,
July 10, 1830.

BRAZIL. (Consular.)—Pernambuco.

No. 63.

Mr. Consul Parkinson to the Earl of Aberdeen.—(Received March 22.)

MY LORD,

Pernambuco, January 20, 1830.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch, dated December 7, 1829, communicating the opinion of the King's Advocate on the hypothetical case of Brazilian subjects, after the period stipulated by Treaty for the abolition of Brazilian slave-trade, bringing negroes from the Coast of Africa, on the plea of the blacks being colonists or servants, who have entered into contracts to serve their Importers, or Agents, during a term of years, in consideration of certain monies or goods lent to them, with which they are to purchase their freedom.

I beg to acquaint your Lordship, that I shall pay the strictest attention to the subject, and give your Lordship immediate information, in the event of any such attempt being carried into execution.

I have, &c.

(Signed)

JOHN PARKINSON, Consul.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

No. 64.

Mr. Consul Parkinson to the Earl of Aberdeen.—(Received April 22.)

MY LORD,

Pernambuco, February 13, 1830.

IN conformity with your Lordship's instructions, I have the honour to transmit a return of the importation of slaves within this Consulate, during the half-year ending 31st December 1829. The number landed within this period is more than double that reported in my return for the preceding half-year.

The rising of the slaves on board the "*Dois Irmaos*" (No. 13.) is believed to have been attended with circumstances of great horror. The captives on deck being compelled to assist in the work of destruction, by pouring boiling water on their fellow-captives in revolt between decks.

I have, &c.

(Signed)

JOHN PARKINSON, Consul.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 64.

A Return of the Importation of Slaves within the Consulate of Pernambuco, during the Half-Year ending 31st December, 1829.

No.	Date of Arrival.	Description.	NAME of VESSEL.	NAME of COMMANDER.	Tonnage.	Where constructed.	To what Port belonging.	Where from.	Place where the Slaves were supposed to have been taken.	Numbers embarked.	Portion that died on the Passage.	Numbers arrived at the Port of destination. (Pernambuco.)	NAMES of OWNERS and CONSIGNEES.
1	1830.	Ship	Tamega	Manl. de Aguiar	290	America	Lisbon	Angola	Angola	466	12	207	Anto. Jozé de Amorim.
2	July 20	Schooner	Na. Sra. da Guia	Jozé Ferndz. Soares	140	Ditto	Bahia	Bahia	"	209	"	209	Anto. da Silva and Co.
3	Aug. 31	Ditto	Nao Lendia	Pedro Jozé de Braga	130	Brazil	Ditto	Ditto	"	110	"	110	
4	Sept. 1	Brig	Imperador do Brazil	Joao Anto. Correa	200	America	"	Angola	Angola	461	35	426	Franco. Anto. de Oliveira.
5	" 8	Schooner	Margarida	Auto dos Reis Fidalgo	90	America	Angola	Ambris	Angola	167	7	160	Joao Maria Sevê.
6	" 14	Ditto	Paquete de Pernco.	Ignacio Glz. Lima	150	America	Pernambuco	Ditto	Angola	262	31	231	Elias Coelho Cintra.
7	" 28	Ditto	General Silveira	Anto. Joao Bronaio	280	Portugal	Ditto	Angola	Ditto	506	11	495	Ditto.
8	Oct. 11	Brig											{ Anto. Luis Gonçalves
9	" 22	Ditto	Trajano	Manl. Froo. de Aranjio	220	Brazil	Benguela	Ditto	Ditto	255	4	251	{ Ferreira.
10	" 24	Ship	Maria da Gloria	Joaqm. Ignacio Ribeiro	242	America	Bahia	Ditto	Ditto	393	15	60	Anto. da Silva and Co.
11	Nov. 17	Schooner	Maria Gertrudes	Marcelino Jozé de St. Anna	120	Ditto	Pernambuco	Ditto	Ditto	293	8	285	Franco. Anto. de Oliveira.
12	" 22	Brig	Leao	Ricardo Xer. de Cunha	130	Portugal	Oporto	Ditto	Ditto	307	3	304	Jozé Ignacio Xavier.
13	Dec. 1	Ditto	Triumpio do Brazil	Gabriel Antonio	220	Brazil	Pernambuco	Ditto	Ditto	527	20	507	to the Captain.
14	" 8	Ditto	Dois Irmaos	Gil Thomas dos Santos	200	Ditto	{ Rio de Janeiro }	Mozambique	Mozambique	359	78	281	Anto. da Silva and Co.
15	" 29	Ditto	Protector	Anto. Feliu dos Santos	180	Ditto	Pernambuco	Angola	Angola	430	10	420	{ Anto. de Queiros Monteiro Regadas.
					2,592			Total		4,745	234	3,946	

No. 1.—Landed 207 in this port, and proceeded with 247 to Maranh.

No. 9.—Landed 60 in this port, having previously landed 318 in Bahia.

No. 13.—The number shipped is doubtful, nor can the deaths on the passage be exactly ascertained. During the passage the slaves rose on the crew, and with difficulty were repulsed, with the loss of about 64 lives,

Pernambuco, February 13, 1830,

(Signed)

JOHN PARKINSON, Consul.

No. 65.

Mr. Consul Parkinson to the Earl of Aberdeen.—(Received September 15.)

SIR,

British Consulate, Pernambuco, July 31, 1830.

ACCOMPANYING this despatch, I have the honour to forward, for the information of the Earl of Aberdeen, the return, No.1, of the importation of slaves at this port for the half year ending 30th June, 1830.

There will appear but a trifling diminution of this traffick in tonnage and importation, but you will not fail to remark, that from the 19th of March, there has been no importation, which must be attributed to the operation of the Treaty for the final abolition. I have, &c.

John Bidwell, Esq.

(Signed)

HENRY COWPER, Consul.

&c. &c. &c.

Enclosure in No. 65.

A Return of the Importation of Slaves within the Consulate of Pernambuco, during the Half-Year ending 30th June, 1830.

No.	Date of Arrival.	Description of Brazilian Flag.	NAME of VESSEL.	NAME of COMMANDER.	Tonnage.	Where constructed.	To what Port belonging.	Where from.	Place where the Slaves were supposed to have been taken.	Numbers embarked.	Portion that died on the Passage.	Numbers arrived at the Port of destination, (Pernambuco.)	NAMES of OWNERS and CONSIGNEES.
1	1830. Jan. 3	Barque	Eliza - - -	José da Silva Erecuia	236	United States	Bahia	Bahia de Lourenço Marquez	Bahia de Lourenço Marquez	534	11	523	—
2	Feb. 20	Brig	Aldina - - -	Manoel da Silva Santos	135	Ditto	Ditto	Bahia	Cabinda	"	"	24	Antônio José de Amorim
3	" 22	Schooner	Maria Gertrudez	Marcelino José de S. Ama -	120	Ditto	Pernco.	Angola	Angola	252	4	248	Francisco Antônio de Oliveira.
4	Mar. 8	Brig	Sacramento e Prazeres -	José Rodriguez da Resurcção	140	Alogôas in Brazil	Ditto	Ditto	Ditto	355	13	342	Jorge Joaquim José Gonçalves.
5	" 9	Smack	Conceição de Maria	Joaquim José dos Santos -	98	Brazil	—	—	—	"	"	176	José Ramos de Oliveira.
6	" 19	Brig	Abismo - - -	Francisco José Correa - - -	122	Pernraise	Pernco.	Angola	Angola	208	12	196	Francisco Ribiero de Brito.
										Total	40	1,509	
										Tons		851	

No. 5.—One hundred and seventy-six slaves of the smack "Conceição de Maria," were disembarked on the 4th of March at a place to the southward of this port, called Candeas, distant about 3 leagues.

Pernambuco, July 31, 1830.

(Signed) HENRY COWPER, Consul.

BRAZIL. (Consular.)—Maranham.

No. 66.

Mr. Deputy-Consul Hesketh to the Earl of Aberdeen.—(Received March 22.)

MY LORD, Consul's Office, Maranham, January 22, 1830.

I HAVE the honour to transmit an account of all the Slaves, which were imported into Maranham from 1st of July to the 31st of December 1829.

I have, &c.

(Signed) WILLIAM HESKETH,
His Britannick Majesty's Deputy Consul.

The Right Hon. the Earl of Aberdeen, K.T.
&c. &c. &c.

Enclosure in No. 66.

An Account of Slaves imported into the Port of Maranham, during the Half-Year ending 31st Dec. 1829.

Date of Arrival.	Description of Vessels.	NAME of VESSELS.	NAME of MASTERS.	Where Laden.	Slaves Embarked.	Slaves Died.	Slaves Landed.	OBSERVATIONS.
1829. July 13	Brazilian Sumaca -	Flora - - -	Jozé Rodrigues - -	Rio de Janeiro	130	8	122	{ All new negroes, originally imported from Mocambique, as appears from the clearances dated Rio de Janeiro, May 27, 1829.
July 13	{ Ditto Packet } { Schooner -	Nove de Janeiro -	{ Antonio Leocadio } { Conto - - -	Pernambuco -	50	"	50	{ These were negroes of the Angola Nation, but arrived here without regular clearances, from Pernambuco. Bond was given by the Consignee to produce the clearances in 6 months, but they have not yet arrived.
Aug. 17	Ditto Schooner -	Amizade - - -	Christovao H. Andres	Ditto - - -	1	"	1	Taught negro, with regular passport.
Aug. 17	Ditto Ship - -	Tamega - - -	Manoel de Aguiar -	Angola - - -	257	23	234	{ All new negroes, with clearances, dated Loanda, 22d and 27th June 1829.
Sept. 3	Ditto Brig - -	Tiborio - - -	{ J. G. dos Santos } { Senne - - -	Bahia - - -	117	"	117	{ New negroes, with clearances, from Bahia, dated 13th August 1829, declaring the whole to have been imported in the schooner Carlota, from Molenbo, in May last, but amongst them there were negroes that originally had come from the Coast of Guinea.
Sept. 10	{ Ditto Packet } { Schooner -	Alcantera - - -	{ Manoel Pedro dos } { Reys - - -	{ Pernambuco } { Ceará - - -	2 2	" "	2 2	{ Taught negroes, with regular passports.
Total					559	31	528	

No. 67.

*Mr. Deputy-Consul Hesketh to the Earl of Aberdeen.—(Received April 27.)**Consul's Office, Maranhã,
February 19, 1830.*

MY LORD,

BEING without any immediate opportunity of communicating with His Majesty's Envoy at Rio de Janeiro, I avail myself of the present conveyance to acquaint your Lordship of the arrival at this port from the Cape Verd Islands, on the 4th instant, of the ship "*Voadora*," Jozé Fernandes do Pinho Master; which vessel I have great reason to suspect has been engaged in the illicit traffick in negroes.

She was seen on this coast 2 days previous to her arrival, by an English brig under very suspicious circumstances; however, I have been unable to discover in what number, or on what part of the coast she landed her negroes. From the following particulars I am inclined to think, that she must have been engaged in the trade. In the first place, she is an American built ship, and was purchased by the Captain at the Cape Verd Islands, where she remained 8 months, for the purpose, I conclude, of procuring a cargo of negroes. Secondly, her principal papers are dated from Boa Vista, the Capitão Mor of which island, I am informed, is in the habit of clandestinely supplying vessels with negroes for the fee of R¹²800 each; and thirdly, the only cargo she brought consisted of 40 asses, evidently to disguise the extra quantity of water-casks she was obliged to carry.

On the 10th instant, the schooner "*Uniao*," Joaquim Ferreira Leite, Master, again arrived at this port, as I had previously anticipated. She reported from Martinique and the Cape Verd Islands, with a cargo of beans and 20 asses. This vessel was likewise seen 2 days previous to her arrival at anchor close under the land of Itaculumi, where I presume she landed part of her negroes.

Owing to these events, I addressed a note to his Excellency the President, a copy of which, with his answer, I herewith beg to transmit. My object in so doing, was principally to bring to his Excellency's recollection the unlawful proceedings of her former voyage.

I regret, however, to add, that I have lately been informed that the "*Uniao*" entered the harbour with negroes on board, and that they were hid in the fore and after part of the vessel under the cargo, and the asses in the centre, but what number, and where sent, I have been unable to ascertain.

I have also heard it mentioned, that the "*Voadora*" landed 200 negroes on the coast, but I have not been able to trace the truth of this assertion with any degree of accuracy.

I shall apprise His Majesty's Envoy, by the first departure for Rio de Janeiro, of the forementioned occurrences, obtaining, in the mean time, every further particular.

I have, &c.

(Signed) W. HESKETH.

His Britannick Majesty's Deputy-Consul.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

P.S.—Both the "*Voadora*" and "*Uniao*" are under the Portuguese flag; the latter vessel is owned by naturalized natives of Portugal resident in this place.

(Signed) W. H.

First Enclosure in No. 67.

*Mr. Deputy Consul Hesketh to the President of Maranhã.**Consul's Office, Maranhã,
February 13, 1830.*

MOST ILLUSTRIOUS AND EXCELLENT SIR,

I BEG leave to inform your Excellency, that the ship "*Voadora*," from the Cape Verd Islands, was seen by the British brig "*Ravourite*," off this

coast, on the 31st January, being 2 days previous to her arrival at this port. Also a vessel was seen by His Imperial Majesty's packet "Alcantra," on the 10th instant, at anchor close under the land of Itaculumi, which must have been the "Uniao," that came into this port on the 12th instant, and likewise reported from the Cape Verd Islands.

Owing to the circumstances that took place on her previous voyage, there is every reason to suspect, that she has again been engaged in the illegal traffick in negroes.

Trusting that your Excellency will adopt such measures as will prevent the infraction of existing Treaties, I have, &c.

(Signed) WILLIAM HESKETH,
His Britannick Majesty's Deputy Consul.

His Excellency Candido José de Aranja Viana,
&c. &c. &c.

Second Enclosure in No. 67. (Translation.)

The President of Bahia to Mr. Deputy-Consul Hesketh.

Maranham, Government-House, February 16, 1830.

I HAVE the satisfaction to acknowledge the receipt of the note you addressed me, under date of the 13th instant, respecting the ship "Voadora," and schooner "Uniao," lately arrived at this port from the Cape Verd Islands, which may be suspected as employed in the illegal traffick in slaves.

I have to inform you, that I have given the necessary orders to examine this business.

God preserve you.

(Signed) CANDIDO JOZE D'ARANJO VIANA.

Mr. Hesketh,
His Britannick Majesty's Deputy-Consul.

No. 68.

Mr. Deputy-Consul Hesketh to the Earl of Aberdeen.—(Received April 27.)

MY LORD, *Consul's Office, Maranham, March 6, 1830.*

I HAVE the honour to transmit a copy of my despatch to His Majesty's Envoy at Rio de Janeiro, under this day's date.

Also a copy of a note I addressed his Excellency the President, Candido José de Aranja Viana, under date of the 2d instant, relative to the illegal introduction of negroes into this port, together with his Excellency's answer thereto. I have, &c.

(Signed) WILLIAM HESKETH,
H. B. M. Deputy-Consul.

The Right Hon. the Earl of Aberdeen, K.T.
&c. &c. &c.

First Enclosure in No. 68.

Mr. Deputy-Consul Hesketh to Lord Ponsonby.

MY LORD, *Consul's Office, Maranham, March 6, 1830.*

I HAVE the honour to transmit a statement of the importation of slaves into this port, for the half year ending December 31, 1829.

I have also to acquaint your Lordship of the arrival at this port, from the Cape Verd Islands, on the 4th February, of the Portuguese ship "Voadora," Jozé Fernandes do Pinho, Master, which vessel, I have great reason to suspect, has been engaged in the illicit traffick in negroes. She was seen on the

coast 2 days previous to her arrival by an English brig, under very suspicious circumstances; however, I have been unable to discover in what number, or on what part of the coast she landed her negroes. From the following particulars I am inclined to think that she must have been engaged in the trade. In the first place, she is an American built ship, and was purchased by the Captain at the Cape Verd Islands, where she remained 8 months, for the purpose, I conclude, of procuring a cargo of negroes. Secondly, her principal papers are dated from Boa Vista, the Capitão Mor of which island, I am informed, is in the habit of clandestinely supplying vessels with negroes for the fee of R^s 12\$800 each; and thirdly, the only cargo she brought consisted of 40 asses, evidently to disguise the extra quantity of water-casks she was obliged to carry.

On the 12th February, the schooner "*Uniao*," Joaquim Ferreira Leite, Master, again arrived at this port, as I had previously anticipated. She reported from Martinique and the Cape Verd Islands, with a cargo of beans and 20 asses. This vessel was likewise seen, 2 days previous to her arrival, at anchor close under the land of Itaculumi, where I presume she landed part of her negroes. Owing to these events, I addressed a note to his Excellency the President, a copy of which, with his answer, I herewith enclose. My object in so doing was principally to bring to his Excellency's recollection the unlawful proceedings of the "*Uniao's*" former voyage.

I regret to add, that I have recently been informed of the following particulars, viz:—That the Portuguese brig "*Harmonia*," Joaquim Alves da Silva Master, which arrived here on the 24th December, and reported from Lisbon and Boa Vista, brought 6 negroes from that island: That the schooner "*Uniao*," when she entered this port had negroes concealed under her cargo, but what number or where sent I have been hitherto unable to ascertain: That the Brazilian schooner "*Conceição*," Antonio José Perreira Master, arrived here on the 25th February from Bahia, with 90 slaves, part of which slaves are Cacheo negroes, and are carefully kept from general observation. These negroes were imported direct from Cacheo to Bahia, and there mixed with Mina slaves from Cabinda, for the purpose of deception, as they are all denominated Minas from Cabinda in the Custom-house "*guias*," or certificates of having paid duty at Bahia. On the 21st February, the Brazilian schooner "*Maria*," Antonio da Silva Ribeiro Master, arrived here from Bahia, with a cargo of 157 negroes, but as they are under quarantine, I have been unable to ascertain whether they agree with the description given in the "*guias*." I fear, however, that the cause of this seclusion is a mere pretence for affording greater facility in disposing of illegal negroes, and keeping them from general observation, especially as the vessel and crew were only 3 days under quarantine. Owing to the foregoing information, I addressed a note to his Excellency the President, relating the occurrences that have come to my knowledge. I am, however, prevented disclosing the sources from whence I derive my information, as the parties are extremely timid of the revengeful consequences they would be exposed to from these illegal slave-dealers, should they be known to have made the above disclosures.

But it may perhaps be proper to state here, the manner in which these facts have come to my knowledge, which have in a great measure been corroborated by subsequent events.

In the case of the "*Harmonia*," I obtained my information from a negro sailor, who spoke some English, and from a personal interview with 2 negroes, that were brought in the same vessel, and understood Portuguese. In the case of the "*Uniao*," from one of the crew; and in that of the schooner "*Conceição*," from the negroes themselves, through the means of interpreters.

I have, &c.

(Signed)

WILLIAM HESKETH,
His Britannick Majesty's Deputy-Consul.

The Right Hon. Lord Ponsonby,
&c. &c. &c.

P.S.—I beg also to enclose a copy of his Excellency's answer to my note of the 2d instant, by which your Lordship will perceive, that no allusion is made to the Brazilian schooner "*Conceição*."—I therefore conclude that the Authorities will rest satisfied of the legality of slaves, by the documents produced from Bahia.

(Signed) W. H.

Second Enclosure in No. 68.

Mr. Deputy Consul Hesketh to the President of Maranham.

*Consul's Office, Maranham,
March 2, 1830.*

MOST ILLUSTRIOUS AND EXCELLENT SIR,

I BEG leave to acquaint your Excellency of having received intelligence, that the brig "*Harmonia*," which arrived on the 24th December, and reported from Lisbon and Boa Vista, brought 6 negroes from the Cape Verd Islands; also that the schooner "*Uniao*," which arrived from the Cape Verd Islands on the 12th ultimo, had negroes concealed on board when she entered this port; and likewise that part of the cargo of the schooner "*Conceição*," which arrived on the 25th February, consists of Cacheo negroes, that were imported direct from the Coast to Bahia, and there mixed with Mina negroes from Cabinda, for the purpose of facilitating their introduction into this port.

Hoping that, through your Excellency's means, the truth of these assertions may be thoroughly investigated,

I have, &c.
(Signed) WM. HESKETH,
H. B. M.'s Deputy Consul.

Señor Candido Jozé d'Aranjo Viana,
&c. &c. &c.

Third Enclosure in No. 68. (Translation.)

The President of Maranham to Mr. Deputy-Consul Hesketh.

Maranham, Government House, March 3, 1830.

IN answer to your despatch of yesterday, I have to inform you, that till now I have not had any information, of the result of the investigation, that I ordered to be made to know, if the brig "*Harmonia*" and the schooner "*Uniao*" brought negroes for sale.

I am going to communicate to the respective Officers the circumstances added by you, in order to facilitate the enquiry.

God preserve you.

(Signed) CANDIDO JOZE D'ARANJO VIANA.

Mr. Wm. Hesketh,
His Britannick Majesty's Deputy-Consul.

No. 69.

Mr. Deputy-Consul Hesketh to the Earl of Aberdeen.—(Received April 30.)

Consul's Office, Maranham, March 8, 1830.

MY LORD,

I HAVE to transmit a copy of a despatch I addressed His Majesty's Envoy at Rio de Janeiro, under yesterday's date, apprizing him of the departure of the schooner "*Conceição*," for the Cape Verd Islands; and also informing him of the intended departure of the schooner "*Uniao*," for Dominica and the Cape Verd Islands.

I have, &c.
Signed WILLIAM HESKETH,
Deputy-Consul.

The Right Hon. the Earl of Aberdeen, K.T.
&c. &c. &c.

Enclosure in No. 69.

Mr. Deputy-Consul Hesketh to Lord Ponsonby.

Consul's Office, Maranham, March 7, 1830.

MY LORD,

I BEG leave to inform your Lordship, that the schooner "*Conceição*," Antonio Jozé Perreira Master, sailed this morning for the Cape Verd Islands, but I am ignorant whether she returns to Bahia or this port.

The schooner "*Uniao*," Joaquim Ferreira Leite Master, is to sail in a day or two for Dominica, with a cargo of farinha and from thence she proceeds to the Cape Verd Islands.

I have, &c.

Signed

WM. HESKETH, Deputy-Consul.

The Right Hon. Lord Ponsonby,
&c. &c. &c.

No. 70.

Mr. Deputy-Consul Hesketh to the Earl of Aberdeen.—(Received May 27.)

MY LORD,

Consul's Office, Maranham, April 5, 1830.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch, (marked slave-trade,) dated 7th December last, communicating the opinion of His Majesty's Advocate-General, regarding the introduction of negroes on the plea of their being colonists or servants; which shall have my strict attention, in the event of the facts contemplated occurring.

I now beg to transmit a copy of my despatch to His Majesty's Envoy at Rio de Janeiro, dated the 31st March, relative to the illegal introduction of slaves by the "*Voadora*," "*Uniao*," "*Conceição*," and "*Harmonia*," and reporting the arrival of the schooner "*Flora*" off this coast, with a cargo of negroes. I likewise enclose copies of my correspondence with his Excellency the President, respecting the first-mentioned vessels.

I have, &c.

(Signed)

WM. HESKETH, Deputy-Consul.

The Right Hon. the Earl of Aberdeen K. T.
&c. &c. &c.

First Enclosure in No. 70.

Mr. Deputy-Consul Hesketh to Lord Ponsonby.

MY LORD,

Consul's Office, Maranham, March 31, 1830.

I HAVE the honour to transmit my correspondence with his Excellency the President, respecting the ship "*Voadora*," schooners "*Uniao*" and "*Conceição*," and brig "*Harmonia*," charged with the illegal introduction of negroes into this port. With regard to my representations on this head, I regret to state, that hitherto they have been entirely unavailing.

I beg leave to enclose a copy of his Excellency's note addressed to me, under date of the 20th instant, transmitting a copy of the Ouvidor do Crime's despatch, relative to the proceedings pending, together with a copy of my answer. And notwithstanding the application made on the part of the Ouvidor do Crime, the schooner "*Uniao*" was allowed to sail on the 22d, and the brig "*Harmonia*," on the 27th of this month. The former proceeded to Martinique, Dominica, and the Cape Verd Islands, and the latter to Lisbon, but up to this date not any further investigation has been made relative to the negroes landed from the aforementioned vessels. I have also to acquaint your Lordship of having recently received information, that the schooner "*Flora*," José Thomas Gonçalves Master, which I mentioned having sailed from hence on the 10th October for the Cape Verd Islands, in my despatch of 30th November last, has been off this coast with a cargo of negroes. These negroes were to be transhipped at sea into a coaster, that sailed from hence on the 30th instant, and to be taken to the District of Turi: it was also the intention of the parties that the schooner should proceed to Para after the transfer of her cargo, where no doubt she would report from some indirect port. I, however, conceive that she will return again to the Coast of Africa for another cargo of negroes, in order to import the same

into this place, under her previous clearances from those ports, in consequence of the Government here having issued an edict, declaring, that vessels will be admitted with slaves from Africa, provided they cleared from such ports, previous to the 13th March, even should their voyages be prolonged 6 months after the date fixed for the final abolition of the trade. This schooner is the same vessel I described in my despatch, dated the 10th August last, and there is little doubt, that the negroes she has now brought are from prohibited ports north of the Equator. Should she arrive at Pará, I have directed the Vice-Consul to make application to the President of that Province for her detention. I have not communicated this intelligence to his Excellency the President, being fearful, that the parties might discover that their transactions were known, and elude the possibility of obtaining further proof.

I have, &c.

(Signed)

WM. HESKETH, Deputy-Consul.

The Right Hon. Lord Ponsonby,

&c.

&c.

&c.

Second Enclosure in No. 70.

(Translation.)

The President of Maranhão to Mr. Deputy-Consul Hesketh.

Maranhão Government-House, March 20, 1830.

I SEND you enclosed a copy of a despatch from the *Dezembargador Ouvidor Geral do Crime*, requiring certain elucidations on your part, in order to obtain some satisfactory result in the proceedings that are pending relative to the negroes, which are supposed to have come in the vessels therein declared. I hope you will afford the said information as far as lies in your power.

God preserve you.

(Signed)

CANDIDO JOZE D'ARANJO VIANA.

Mr. William Hesketh,

His Britannick Majesty's Deputy-Consul.

Second Enclosure (A.) in No. 70.

(Translation.)

The Ouvidor do Crime to the President of Maranhão.

Maranhão, March 17, 1830.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

HAVING commenced summary proceedings relative to the Cacheo slaves, which are said to have come from the Cape Verd Islands, in the ship "*Vou-dora*" and schooner "*Uniao*," referred to in your Excellency's despatch of the 16th ultimo, and lately in the brig "*Harmonia*" and schooner "*Conceição*," referred to in the information given by His Britannick Majesty's Deputy-Consul, transmitted with a despatch of the 4th instant, I have not been able to examine more than 16 individuals of the crews of the three first; because, owing to the time already elapsed when I received your Excellency's despatch, the rest were no longer on board the above vessels, nor is their destination known. In like manner, it is impossible to examine any person belonging to the last, because, having been occupied in the *Relação* and Council of Justice on the 5th and 6th instant, the abovementioned schooner "*Conceição*" sailed early on the morning of the 7th. For this reason, and because I have been unable to collect any thing from the other witnesses, which I have examined, I beg your Excellency will be pleased to require of the aforesaid Deputy-Consul the necessary explanation, as to the persons through whom he received his information, relative to the introduction and landing of the above mentioned slaves, of which he makes mention, to the end that the examination may not be frustrated. I hope, likewise, that your Excellency

will be pleased to order, that for the future vessels, against which proceedings have been commenced, be not allowed to sail until they are concluded.

God preserve your Excellency.

The Dezembargador Ouvidor do Crime,
(Signed) DOMINGOS NUNES RAMOS FERREIRA.

A true Copy. (Signed) MANOEL MONTEIRO DE BARROS,
Government Secretary.

*The Most Illustrious and Excellent Senhor Candido José d'Aranjo Viana,
President of the Province.*

Third Enclosure in No. 70.

Mr. Deputy-Consul Hesketh to His Excellency the President of Maranhã.

Consul's Office, Maranhã,

March 20, 1830.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

I HAVE the honour to acknowledge the receipt of your Excellency's note of to-day's date, handing me a copy of a despatch from the Ouvidor do Crime, addressed to your Excellency, respecting the vessels "*Voadora*" "*Uniao*," "*Harmonia*," and "*Conceição*," charged with the illegal introduction of negroes; also requesting of me that I should furnish your Excellency with all the particulars that lay in my power, for the purpose of forwarding the proceedings. In conformity with your Excellency's request, I beg leave to state, that I have recently received information, that the "*Voadora*" brought 3 negroes from the Cape Verd Islands, which I believe are still on board said vessel. I have also heard it reported, that she brought a greater number, but I have been unable to trace the truth of this report with any degree of accuracy.

With respect to the "*Uniao*," I received my information from an eye witness, but where he is at present I cannot ascertain; I am, however, ignorant of the number or where they were sent. As to the "*Harmonia*," your Excellency will find 2 of the negroes on board, one of which is named Luiz, and understands English. He alleges himself to have been a free negro belonging to Goree, and enticed to go to the Cape Verd Islands, where he was made a slave and brought here.

The Cacheo negroes, belonging to the "*Conceição*," were purposely secluded in a store in the Praia do Desterrô, and if not already removed or disposed of, every particular may be readily elucidated from them.

Recommending to your Excellency's protection those negroes on board the "*Harmonia*," from any improper treatment they may be subject to, in consequence of the disclosures they have made,

I have, &c.

(Signed) WM. HESKETH, Deputy-Consul,

His Excellency Senhor Candido José d'Aranjo Viana,

&c.

&c.

&c.

No. 71.

Mr. Deputy-Consul Hesketh to the Earl of Aberdeen.—(Received June 14.)

MY LORD

Consul's Office, Maranhã, May 1, 1830.

I HAVE the honour to transmit a copy of my last despatch to His Majesty's Envoy at Rio de Janeiro, relative to the illegal introduction of negroes into this province.

I have, &c.

(Signed) WM. HESKETH, Deputy-Consul.

The Right Hon. the Earl of Aberdeen, K.T.

&c.

&c.

&c.

Enclosure in No. 71.

Mr. Deputy-Consul Hesketh to Lord Ponsonby.

MY LORD, *Consul's Office, Maranhã, April 24, 1830.*

I HAVE recently received intelligence of the arrival of the schooner "*Flora*" at Pará, but am hitherto ignorant of the result of the Vice-Consul's application to the President of that Province for her detention. I understand that she was again preparing for another voyage to the Cape Verd Islands.

I have, &c.

(Signed) WILLIAM HESKETH, Deputy-Consul.

The Right Hon Lord Ponsonby,
&c. &c. &c.

No. 72.

Mr. Deputy-Consul Hesketh to the Earl of Aberdeen.—(Received Aug. 20.)

MY LORD, *Consul's Office, Maranhã, July 3, 1830.*

IT is with regret I have to inform your Lordship, that the Authorities at Pará have refused to detain the schooner "*Flora*," notwithstanding the representations of the Vice-Consul, as to the very suspicious circumstances of her having landed negroes on this coast. The schooner "*Prudencia*" again entered this port on the 3d of June, from the Cape Verd Islands, in ballast, and I strongly suspect she has landed negroes on the coast; but up to the present period I have been unable to obtain any information on this head.

The schooner "*Uniao*" also arrived here on the 1st instant, from the Cape Verd Islands, with only 30 asses on board; from which circumstance I conclude, that she has likewise been engaged in similar illegal transactions. Both these vessels have been regularly admitted to entry by the Authorities, and not any notice taken of their previous illicit voyages.

The "*Uniao*" reports, that the schooner "*Conceição*," on her return to Bahia, was captured with a cargo of negroes by one of His Majesty's cruisers. She sailed from hence on the 7th of March last, for the Cape Verd Islands.

I beg leave to apprise your Lordship of a current opinion amongst the slave-traders of this place, viz: that vessels, taken under the Portuguese flag, are not liable to such severe penalties as those under the Brazilian; therefore, these smugglers generally sail under the former flag, though owned by resident naturalized Brazilians.

Enclosed I transmit an account of the import of negroes into Maranhã, for the half-year, ending June 30, 1830.

(Signed) WILLIAM HESKETH,
Deputy-Consul.

The Right Hon. the Earl of Aberdeen, K.T.
&c. &c. &c.

Enclosure in No. 72.

An Account of Slaves imported into the Port of Maranham, during the Half Year ending 30th of June, 1830.

Date of Arrival.	Description of Vessels.	Name of Vessels.	Name of Masters.	Where Laden.	Number of Slaves			OBSERVATIONS.
					Embarked.	Died.	Landed.	
1830.								
Jan. 7	Brazilian	{ Packet } { Schooner }	{ Antonio } { Leocadio } { Conto - }	Pernambuco	2	"	2	Taught negroes, with regular passports.
Feb. 21	Ditto	Schooner	{ Antonio da } { Silva Ribe- } { iro - - - }	Bahia - - -	168	11	157	{ All new negroes, originally imported from Cabinda in the Brazilian sunaca Africana, and brig Paquete Africano as appears from the clearances, dated Bahia, 28th and 29th Jan. 1830.
Feb. 25	Ditto	Ditto - - -	{ Antonio Jozé } { Pereira - }	Ditto - - -	91	"	91	{ One taught negro, with regular passport, and 90 new negroes, with clearances from Bahia, dated 21st January, 1830, declaring them to have been imported from Cabinda in the said schooner Conceiçam; but these negroes were all of the Mina and Cacheo, and not of the Cabinda nation, as stated in said clearances.
April 14	Ditto	Brig - - - -	{ Sam Jozé } { Grande - }	Angola - - -	389	47	342	{ All new negroes, with regular clearances from Loanda, dated 23d and 24th February, 1830.
Total					650	58	592	

No. 73.

Mr. Deputy-Consul Hesketh to the Earl of Aberdeen.—(Received Sept. 28.)

MY LORD,

Consul's Office, Maranham, August 16, 1830.

I HAVE the honour to transmit copies of my despatches to His Majesty's Chargé d'Affaires at Rio de Janeiro, dated the 24th July and 16th instant, relative to the illicit introduction of negroes into this province; likewise copies of my correspondence with his Excellency the President on the above-mentioned subjects.

I have, &c.

(Signed)

WILLIAM HESKETH, Deputy-Consul.

The Right Hon. the Earl of Aberdeen, K.T.

&c.

&c.

&c.

First Enclosure in No. 73.

Mr. Deputy-Consul Hesketh to A. Aston, Esq.

SIR,

Consul's Office, Maranhão, July 24, 1830.

IN reference to my last despatch, (marked slave-trade,) addressed to His Majesty's Envoy, under date of the 24th April, I beg leave to state, that the Authorities at Pará refused to detain the schooner "*Flora*," notwithstanding the Vice-Consul's representations to the President of the Province respecting her illegal proceedings. The particulars of these circumstances have already been forwarded to you by the Vice-Consul of that place.

I have again to report the arrival of the schooner "*Prudencia*" at this port, on the 3d June, in ballast, from the Cape Verd Islands, and there is reason to suppose, that she has landed negroes on this coast, though, up to the present date, I have not been able to obtain any information on this head. She is now about sailing for Gibraltar.

The schooner "*Uniao*" likewise arrived here on the 1st July, from the Cape Verd Islands, with only 30 asses on board; and in consequence of information I have received, I strongly suspect she has landed negroes on this coast. She is also preparing for another voyage, but hitherto I have been unable to discover her intended destination with accuracy.

Owing to these circumstances, I addressed a despatch, on the 19th of July, to his Excellency the President Candido José d'Aranjo Viana, stating my reasons for suspecting these vessels of having been engaged in the illicit traffick in slaves, a copy of which, together with his answer, I herewith transmit.

I understand that the "*Uniao*," on her last voyage to Martinique, took 6 negroes from hence, which were sold at that place. On her arrival she reported, that the schooner "*Conceição*," on her return to Bahia, was captured, with a cargo of negroes, off the Cape Verd Islands, by one of His Majesty's cruisers. Both the "*Prudencia*" and "*Uniao*" were regularly admitted to entry by the Authorities, without the least remark on their previous illicit voyages.

Enclosed I beg leave to transmit a statement of the import of slaves into this province for the half year ending the 30th of June.

I have, &c.

(Signed) WILLIAM HESKETH,
Deputy-Consul.

*Arthur Aston, Esq.,
His Majesty's Chargé d'Affaires,
&c. &c. &c.*

Second Enclosure in No. 73.

Mr. Deputy-Consul Hesketh to A. Aston, Esq.

SIR,

Consul's Office, Maranhão, August 16, 1830.

I BEG to inform you, that the schooner "*Prudencia*" was permitted to sail on the 26th of July for Gibraltar. The schooner "*Uniao*" is also to sail in a few days, and I understand that she will again proceed to Martinique, from thence to the Azores, and afterwards to the Cape Verd Islands. But I am not aware, that his Excellency the President has hitherto made any strict enquiry into the recent illegal introduction of negroes into this province.

I have, &c.

(Signed) WILLIAM HESKETH,
Deputy-Consul.

*Arthur Aston, Esq.,
His Majesty's Chargé d'Affaires,
&c. &c. &c.*

Third inclosure in No. 73.

Mr. Deputy-Consul Hesketh to the President of Maranhão.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

*Consul's Office, Maranhão,
July 19, 1830.*

IT is with regret, that I have again to address your Excellency on the subject of the illegal introduction of negroes into this province; but having recently received information of certain facts, I conceive it to be my duty to lay them before your Excellency, as well as my reasons for suspecting the vessels concerned in these proceedings.

I understand, that, about the middle of May last, a small schooner arrived with slaves off the Island of Orumarù, situated between the Island of São João Merim and the land; that she was furnished with provisions and other necessities, by a person of the name of Felisberto Pimentel, who has a small cattle estate on that island; that on the 9th of June, 2 purchasers arrived from Turi-assir, and it was reported that they proceeded with the negroes and schooner to Turi.

As the "*Uniao*" arrived here on the 1st July, and as her Captain and Mate have since left this port, I have strong suspicions she has been the vessel employed in the above transactions. I cannot help remarking to your Excellency the similarity of the occurrences between this and her former voyage.

The schooner "*Flora*," commanded by the same person who had the "*João Cabeça*," likewise landed negroes on the coast about the 24th March last, and afterwards proceeded to Pará.

It is also generally supposed, that the schooner "*Prudencia*" has landed negroes on the coast, though I have not any information on the subject; but as she arrived here on the 3d June, she could not be the same vessel that sailed from Orumarù on the 9th of said month.

I have, &c.

(Signed)

WM. HESKETH,
Deputy-Consul.

*His Excellency Candido Joze d'Aranjo Viana,
&c. &c. &c.*

Fourth Enclosure in No. 73.

(Translation.)

The President of Maranhão to Mr Deputy-Consul Hesketh.

Maranhão, Government-House, July 20, 1830.

I HAVE to acknowledge the receipt of your note of yesterday, addressed to me, containing the reasons for suspecting that some vessels, which have arrived at this port, are concerned in the illegal traffick of negroes. I have long since given decisive orders to prevent such scandalous transactions, and I am going now to give new orders, and to examine the facts pointed out by you, that, in the event of their being true, the perpetrators may be punished with all the rigour of the law.

God preserve you.

(Signed)

CANDIDO JOZE D'ARANJO VIANA.

*Mr. William Hesketh,
His Britannick Majesty's Deputy-Consul.*

No. 74.

Mr. Deputy-Consul Hesketh to the Earl of Aberdeen.—(Received Oct. 22.)

MY LORD,

Consul's Office, Maranham, August 31, 1830.

I HAVE the honour to transmit a copy of my despatch to His Majesty's Chargé d'Affaires at Rio de Janeiro, dated the 28th instant, advising the departure of the schooner "*Uniao*."

I beg leave to inform your Lordship, that little enquiry has been made into the suspicious circumstances of the schooners "*Prudencia*" and "*Uniao*," having been engaged in the illicit introduction of negroes into this province; and notwithstanding the repeated professions of his Excellency the President, that a strict investigation should take place, the "*Prudencia*" was permitted to sail on the 26th July for Gibraltar. The "*Uniao*" was also allowed to depart on the 22d instant for Martinique, from whence she will proceed to the Azores and the Cape Verd Islands, for the purpose, I conclude, of again effecting a similar voyage.

I have, &c.

(Signed) WILLIAM HESKETH,
Deputy-Consul.

The Right Hon. the Earl of Aberdeen, K.T.
&c. &c. &c.

Enclosure in No. 74.

Mr. Deputy-Consul Hesketh to A. Aston, Esq.

SIR,

Consul's Office, Maranham, August 28, 1830.

IN my despatch, dated the 24th July, marked "Slave-trade," I had the honour to inform you of the arrival at this port of the schooners "*Prudencia*" and "*Uniao*," which were again suspected of having been engaged in the illicit traffick in slaves. I also transmitted, therewith, copies of my correspondence with his Excellency the President on that subject.

On the 16th instant, I advised the departure of the "*Prudencia*" for Gibraltar; and now beg to acquaint you, that the "*Uniao*" was likewise permitted to sail, on the 22d of this month, for Martinique, notwithstanding his Excellency's professions, that strict enquiry should be made into the suspicious circumstances of her voyage.

I have, &c.

(Signed) WILLIAM HESKETH,
Deputy-Consul.

Arthur Aston, Esq.
&c. &c. &c.

BRAZIL. (Consular.)—Pará.

No. 75.

Mr. Vice-Consul J. Hesketh to the Earl of Aberdeen.—(Received Feb. 12, 1830.)

MY LORD, *Vice-Consul's Office, Pará, November 10, 1829.*

IN conformity to your Lordship's instructions, transmitted to me through His Majesty's Consul-General, I have the honour to enclose a return of the slaves imported into this port, from the 1st January to the 30th June, 1829.

I have, &c.

(Signed)

JOHN HESKETH,

The Right Hon. the Earl of Aberdeen, K.T.
&c. &c. &c.

British Vice-Consul.

Enclosure in No. 75.

Account of Slaves imported into the Port of Pará, from 1st January to 30th June, 1829.

Date of Arrival.	Description of Vessel.	Name of Vessel.	Name of Master.	Where from	Tonnage.	Days Passage.	Slaves Embarked.	Slaves Died.	Slaves Landed.	REMARKS.
1829. Feb. 24	{ Brazilian Ship. }	Maria	{ Sebastiao Alvez }	Loanda	Tons 339	37	270	4	266	

(Signed)

JOHN HESKETH,

British Vice-Consul.

No. 76.

Mr. Vice-Consul J. Hesketh to the Earl of Aberdeen.—(Received April 6.)

MY LORD, *Vice-Consul's Office, Pará, Feb. 15, 1830.*

IN conformity to your Lordship's instructions, transmitted to me through His Majesty's Consul-General, I have the honour to enclose a return of the slaves imported into this port, from the 1st July to 31st December 1829.

I have the honour, &c.

(Signed)

JOHN HESKETH,

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

British Vice-Consul.

Enclosure in No. 76.

Account of Slaves imported into the Port of Pará, from 1st July to 31st December, 1829.

Date of Arrival.	Description of Vessel.	Name of Vessel.	Name of Master.	Where from	Tonnage.	Days Passage.	Slaves Embarked.	Slaves Died.	Slaves Landed.	REMARKS.
1829. Nov. 26	{ Brazilian Schooner }	Amizade	{ Christoso. H. Andres }	{ Maranham }	59	4	98	"	98	{ With Guia and Pass-port. }

(Signed) JOHN HESKETH,
British Vice-Consul.

No. 77.

Mr. Vice-Consul J. Hesketh to the Earl of Aberdeen—(Received Aug. 20.)

MY LORD,

Pará, June 22, 1830.

I HAVE the honour to transmit, for your Lordship's information, a copy of my despatch, dated the 20th instant, to His Majesty's Chargé d'Affaires at Rio de Janeiro, with its enclosures, transmitting copy of correspondence with the President of Pará, relative to the Brazilian schooner "*Flora*," suspected of being concerned in the illegal traffick in slaves.

I have, &c.

(Signed) JOHN HESKETH, British Vice-Consul.

The Right Hon. the Earl of Aberdeen, K.T.

&c.

&c.

&c.

Enclosure in No. 77.

Mr. Vice-Consul J. Hesketh to A. Aston, Esq.

SIR,

Pará, June 20, 1830.

I HAVE the honour to transmit to you the enclosed copies of my correspondence with the President of this Province, relative to the Brazilian schooner "*Flora*," José Thomaz Gonsalvez, Master, which vessel arrived here from the Cape de Verd Islands on the 25th of March last, under highly suspicious circumstances, insomuch as to leave little doubt of her being concerned in the illegal traffick in slaves. You will observe, that, owing to want of direct evidence, the President cannot legally detain said vessel. And it is to be feared, that the successful issue of this adventure, will only prove a temptation for a recurrence of similar ones, to the complete evasion of the laws.

I have, &c.

(Signed) JOHN HESKETH, British Vice-Consul.

Arthur Aston, Esq.

&c. &c. &c.

Sub-Enclosure (A.) in No. 77.

Mr. Vice-Consul J. Hesketh to the President of Pará.

MOST EXCELLENT AND ILLUSTRIOUS SIR,

*Vice-Consul's Office, Pará,
April 14, 1830.*

IN calling your Excellency's attention to the case of the Brazilian schooner "*Flora*," José Thomaz Gonsalves Master, which was the subject of my verbal communication to your Excellency on the 10th instant, it is useful for me here to premise, that, taking into consideration the extent of coast between this and Maranhão, and the facilities which the same affords for the illegal disembarkation of slaves without detection, your Excellency must feel convinced, that, in the absence of positive evidence as to facts, concurrent reports as to their existence must have due weight.

Such is the point in question with regard to the schooner "*Flora*."

She arrived here on the 25th ultimo, from the Cape de Verd Islands, in ballast, having gone into the Bay of St. Marcos for orders. On her arrival here the general suspicion was, that she was a slave-vessel; indeed her filthy appearance, to those who had an opportunity of witnessing her on board, strongly corroborated the idea; however, as nothing tangible could be obtained, which might lead to a discovery, I declined noticing the same to your Excellency, in the hopes that something might shortly transpire, which would throw further light upon the subject.

Accordingly I received, on the 10th instant, a despatch from His Majesty's Deputy-Consul at Maranhão, in which he requests me to make application to your Excellency for the detention of the schooner "*Flora*," stating that a vessel had sailed from Maranhão, on the 30th ultimo, for the purpose of boarding her at sea, off the Coast, and transshipping and conveying the cargo of negroes she had on board to Turi, and that it was also afterwards intended that the said schooner should proceed to this place.

In confirmation of the above, William Brown, the Master of the British brig the "*Favourite*," arrived here on the 10th instant, asserts, that the pilot, by name "*Domingos*," who piloted him out from Maranhão, assured him, that the "*Flora*" had landed a cargo of slaves at the Island of St. João, and that the said Master would find her here, as this was her destination.

Fully aware of the delicacy which your Excellency feels for the rights and privileges of His Imperial Majesty's subjects, still I should hope, that your Excellency would be pleased to direct, that such a suspicious case as this should not pass unnoticed; and that in the event of justifiable grounds appearing, your Excellency will order her immediate detention.

I have, &c.

(Signed)

JOHN HESKETH,
British Vice-Consul.

*His Excellency the Barão de Bagé,
President of the Province of Pará.*

Sub-Enclosure (B.) in No. 77.

(Translation.)

*The President of Pará to Mr. Vice-Consul J. Hesketh.**Pará, Government House, April 15, 1830.*

IN reply to your despatch, dated the 14th instant, in which you inform me, that the schooner "*Flora*," at anchor in this port, having arrived from the Cape de Verd Islands in ballast, had slaves on board, which she landed clandestinely in the Island of St. John, in the district of the Province of Maranhão, as you were informed by His Britannick Majesty's Consul in that province, and requesting of me an enquiry into the fact, and the de-

tention of the said schooner, in case it should prove true, it is my duty to acquaint you, that on the same date of your despatch, I issued orders to the Chief Magistrate of the district, to commence immediately with the requisite examinations as to the facts stated in your despatch, and which I expect will be carried into effect with the most scrupulous exactness.

God preserve you.

(Signed) BARAO DE BAGE.

Mr. John Hesketh,
British Vice-Consul.

Sub-Enclosure (C.) in No. 77. (Translation.)

The President of Bahia to Mr. Deputy-Consul J. Hesketh.

Pará, Government House, May 15, 1830.

IT is my duty to acquaint you, that the judicial act, which I ordered to be commenced, relative to the schooner "*Flora*," in consequence of your despatch, dated 14th April last, being concluded, I am informed by the Minister who was intrusted with that investigation, that from the deposition of the witnesses who were examined, and who had better means of being acquainted with the fact denounced by you in your said despatch, nothing can be inferred as to the veracity of the denunciation, by which an indirect case can be made out.

In consequence, therefore, of what is above stated, and since the Judge cannot find any criminality which may be proceeded against, I, of my own part, do not think myself authorized to impede the departure of said vessel, which is loaded, application having been made to me for her passport in the usual form.

If, nevertheless, you have sufficient reasons, by which you can legally prevent the said departure, taking upon yourself the responsibility which is the necessary consequence, in that case you may apply in time to the proper judicial Authority, as it is only in this way, and at the requisition in form from the said Authority, that I can act in a manner contrary to that which I have determined on.

God preserve you.

(Signed) BARAO DE BAGE.

Mr. John Hesketh,
British Vice-Consul.

Sub-Enclosure (D.) in No. 77.

Mr. Vice-Consul J. Hesketh to the President of Pará.

MOST EXCELLENT AND ILLUSTRIOUS SIR,

*Vice-Consul's Office, Pará,
May 15, 1830.*

I HAVE the honour to acknowledge the receipt of your Excellency's despatch of this date, in which your Excellency is pleased to acquaint me, that, after due enquiry into the case of the schooner "*Flora*," no just grounds have appeared for the detention of said vessel.

I have, &c.

(Signed) JOHN HESKETH,
British Vice-Consul.

*His Excellency the Barao de Bagé,
President of the Province of Pará.*

No. 78.

Mr. Vice-Consul J. Hesketh to the Earl of Aberdeen.—(Received Sept. 28.)

MY LORD,

Vice-Consul's Office, Pará, August 14, 1830.

IN conformity to your Lordship's instructions, I have the honour to transmit the enclosed return of the slaves imported into this port, during the half-year ending the 30th June last.

I have, &c.

(Signed)

JOHN HESKETH,

The Right Hon. the Earl of Aberdeen, K. T.
 &c. &c. &c.

British Vice-Consul.

Enclosure in No. 78.

Account of Slaves imported into the Port of Pará, during the Half-Year ending 30th June, 1830.

Date of Arrival.	Description of Vessels.	Names of Vessels.	Names of Masters.	Where from.	Tonnage.	Days Passage.	Slaves Embarked.	Slaves Died.	Slaves Landed.	REMARKS.
1830.					Tons					
Jan. 16	{ Brazilian Schooner }	Emilia	{ Manoel Antonio Pereira }	{ Maranham }	100	7	46	"	46	{ With Guis and Pass-ports. }
April 6	{ Brazilian Schooner }	Dido	{ Antonio Joaquim }	{ Rio de Janeiro }	100	31	81	4	77	Ditto
" 7	{ Brazilian Ship }	Maria	{ Antonio José Vas Fernandez }	Loanda	339	34	303	22	281	—
June 17	{ Brazilian Schooner }	Amizade	C. H. Andries	{ Maranham }	59	5	1	"	1	{ With Guis and Pass-ports. }
Total				4 Vessels	598	"	431	26	405	

(Signed)

JOHN HESKETH,

British Vice-Consul.

PORTUGAL.

No. 79.

Mr. Consul Goodwin to J. Bidwell, Esq.—(Received February 6, 1830.)

SIR,

*British Consulate, St Jago,
Cape Verde Islands, August 1, 1829.*

I HAVE the honour to acquaint you, for the information of the Earl of Aberdeen, that a large Spanish schooner, bound for the coast, has arrived at Boa Vista from the Havanah, and that a smaller one is daily expected at the same place from the same quarter, and with the same destination.

The slave-trade is unusually brisk. Upwards of 30 Guineamen are said to be hovering about us, whereof 9 or 10 belong to one house at Havanah.

I have, &c.

John Bidwell, Esq.

(Signed)

JOHN GOODWIN.

&c. &c. &c.

No. 80.

Mr. Consul Goodwin to J. Bidwell, Esq.—(Received May 27.)

SIR,

British Consulate, Cape Verde Islands, Feb. 4, 1830.

I HAVE the honour to acquaint you, for the information of the Earl of Aberdeen, that on the 30th ult. there arrived in this port the Spanish brig "*Vingador*," Don Jozé ———, Master, of the burthen of 200 tons and upwards, first from the Havanah, but last from the Coast of Africa, whereto she will return. There are now lying here 3 Spanish Guineamen, viz: the "*Vingador*" above-mentioned, the "*Primeira Galega*," and the "*Barbarina*," 2 schooners of 80 and 90 tons respectively. The 2 latter were overhauled last month by His Majesty's ship "*Undaunted*," but nothing was found on board of them sufficient to warrant their detention. The "*Vingador*" is said to be manned with 40 hands, and to be powerfully armed. The "*Vingador*" and "*Primeira Galega*" are said to belong to Don Pedro Martins at Havana. It is understood that all these vessels have bespoken their cargoes on the coast, and are only staying here to refresh, whilst their agents are collecting their cargoes, and getting them ready to be shipped. The protection afforded to commerce, and the warning held out to Guineamen by the visits of His Majesty's ship "*Undaunted*," have called forth the warmest acknowledgments from the Merchants and Ship-masters residing at and frequenting this port.

I am, &c.

John Bidwell, Esq.

(Signed)

JOHN GOODWIN.

&c. &c. &c.

No. 81.

Mr. Consul Goodwin to J. Bidwell, Esq.—(Received May 21.)

SIR,

British Consulate, Cape Verde Islands, Feb. 6, 1830.

I HAVE the honour to enclose to you a protest respecting the abduction of a slave belonging to Mr. Ferdinand Gardner, of this town, by one Grey, the Master of the "*Renard*," a British Whaler.

Mr. Gardner possesses strong and peculiar claims to the attention of His Majesty's Government, having held the situation of British Vice-Consul at Mayo, under my predecessor Mr. Clarke, and having on all occasions entertained our countrymen with kindness and hospitality, but particularly on the melancholy occasion of the loss of the "Letitia," in August, 1827, when he received into his house 64 of the passengers and crew, and shewed them every attention and civility in his power.

For the truth of the protest I have the voucher and authority of Mr. William G. Merrill, Consul for the United States of America in the Cape Verde Islands. Upon these grounds I beg leave to recommend Mr. Gardner's case to the notice and attention of the Earl of Aberdeen.

I have the honour, &c.

John Bidwell, Esq.
&c. &c. &c.

(Signed) JOHN GOODWIN.

Enclosure in No. 81.

Mr. Gardner's Protest respecting the Abduction of his Slave.

British Consulate, Cape Verde Islands.—(Seal.)

BEFORE me, John Goodwin, His Britannick Majesty's Consul for the Cape Verde Islands, this 5th day of February, 1836, personally appeared Ferdinand Gardner, of Villa da Praia, St. Jago, Merchant, who, upon solemn oath on the Holy Evangelists, before me taken and sworn, did say and affirm, in extension of a protest, noted and entered in the office of the said Consul, on the 21st day of October last past, that he, the deponent, did in the year 1823 purchase a certain negro, called Felipe, a description whereof is hereunto annexed, who did abide in the house and service of the said deponent, until the 20th day of October last past, when a certain British barque, of the burden of 230 tons, called the "Renard," whereof one Grey was Master, and one Alexander Birnie, of Great St. Helens, London, was, as deponent, was informed, Owner, or part Owner, having touched at St. Jago aforesaid to refresh, the said Grey came unto the dwelling-house of said deponent, and purchased sundry articles, to convey which to his boat he took with him the said Felipe, who thereafter never more appeared in St. Jago, and the said deponent saith further, that he having made diligent but ineffectual search and enquiry after the said Felipe, doth infer, as he reasonably might, that the said Felipe was trepanned and spirited away by the said Grey, and put on board the said barque. Wherefore the said Ferdinand did protest against the said Birnie and the said Grey, jointly and severally, and against all other persons concerned, for the said kidnapping; and did declare that whereas the market-price for the said Felipe was not less than 300 mil reis in metal, the same ought to be paid unto him, the deponent, by the said Birnie and Grey, by way of indemnity for the loss he had met with.

In witness whereof he hath hereunto set his hand and seal the day and year first above written.

(Seal.)

(Signed)

F. GARDNER.

Done at Villa da Praia aforesaid, the day and year first above-written, in my presence.

(Signed)

JOHN GOODWIN,

His Britannick Majesty's Consul.

The above-mentioned Felipe was about 25 years of age, clean made, and about 5 feet 7 inches high.

(Signed)

JOHN GOODWIN,

His Britannick Majesty's Consul.

No. 82.

Mr. Consul Goodwin to J. Bidwell, Esq.—(Received May 27.)

*British Consulate, Cape Verd Islands,
February 27, 1830.*

SIR,

I HAVE the honour to acquaint you, for the information of the Earl of Aberdeen, that an account having reached St. Jago of the piracy committed on the American ship "*Candace*," on the 13th of November last, in lat. 9° N. and Long. 24° W., enquiries have been made in Praia, with a view of identifying the brig which committed the piracy, with a certain Spanish Guineaman, which touched at St. Jago in the course of last autumn. The result is as follows.

It appears by the Custom-house books, that a Spanish hermaphrodite brig, called the "*Mançanares*," commanded by one Manoel de Alcántara, manned with more than 40 seamen, and mounting 3 guns, (one of which was on a pivot,) arrived at the port from Havana, on the 6th November last, and sailed again on the 9th for the Island of St. Thomé, Coast of Africa. The vessel being said to have sailed from Havana with a cargo valued at 30,000 dollars; and the Master being well known in this port, from having formerly lived here, no suspicion was entertained of his real character, and he was allowed to depart unexamined. Since his departure, however, intelligence has reached us, that, in his passage from the Havana, he had murdered the lawful Master of the vessel, and also the Supercargo: that on his arrival at St. Vincent's, one of the Cape Verd Islands, he had added the Boatswain to the number of his victims, for having signified his wish to go on shore, and finally, that off St. Vincent's, he had had a running action with a British or French man-of-war, in which engagement 2 of his people were slain.

The interval, between his departure from Praia and the date of the robbery, being about 4 days; the distance between Praia and the scene of action being about 5 degrees of latitude, and the description of his vessel corresponding with that of the pirate's, are circumstances which, combined together, create a general belief that the author of the piracy was the person above-mentioned.

I have, &c.

(Signed)

JOHN GOODWIN.

John Bidwell, Esq.

&c. &c. &c.

No. 83.

Mr. Consul Goodwin to J. Bidwell, Esq.—(Received May 27.)

*British Consulate, Cape Verd Islands,
March 22, 1830.*

SIR,

I HAVE the honour to acquaint you, for the information of the Earl of Aberdeen, that a Spanish hermaphrodite brig is just coming into port. She is known to be a slaver, and to belong to the Owner of 2 other Spanish brigs that are lying in the roads. One of them, the "*Vingador*," mounts 12 guns, and is calculated for 600 negroes; the other, the "*Negrila*," has 16 guns below, and is calculated for 500 negroes.

Having received information *last night*, that M. A. Martins, of Boa Vista, has obtained permission from the Portuguese Government to import 150 negroes per annum. I shall take an early opportunity of sending information to Sierra Leone.

I have, &c.

(Signed)

JOHN GOODWIN.

John Bidwell, Esq.

&c. &c. &c.

P. S.— Another Spanish schooner has just hove in sight.

No 84.

Lord Dunglas to Mr. Consul Goodwin.

SIR,

Foreign Office, August 25, 1830.

I RECEIVED, and referred to His Majesty's Treasury, the letter which you addressed to Mr. J. Bidwell, under date of the 6th of February last, respecting the alleged abduction of a slave belonging to Mr. Ferdinand Gardner, of the Cape de Verdes, by one Grey, the Master of a British whaler.

You will perceive by the accompanying report from the Commissioners of the Customs, that the Master of the "Renard" is not held to have committed any offence against the laws of British revenue, or the laws relating to slave-trade, by the abduction of the slave alluded to.

I am, &c.

(Signed) DUNGLAS.

John Goodwin, Esq.

&c. &c. &c.

Enclosure in No. 84.

J. Planta, Esq. to J. Backhouse, Esq.

SIR,

Treasury Chambers, August 10, 1830.

I AM commanded by the Lords Commissioners of His Majesty's Treasury to transmit to you, for the information of the Earl of Aberdeen, the enclosed copy of a report from the Commissioners of Customs, dated the 3d instant, relative to the abduction of a slave, named Felipe, from St. Jago, by the Master of the "Renard," British whaler, referred to in your letter of the 29th of June last.

I am, &c.

(Signed) JOSEPH PLANTA.

John Backhouse, Esq.

&c. &c. &c.

Sub-Enclosure in No. 84.

*Report from the Commissioners of Customs.*MAY IT PLEASE YOUR LORDSHIPS, *Custom-House, August 3, 1830.*

MR. STEWART having, in his letter of the 7th ultimo, transmitted, by command of your Lordships, for our information, and in order that we might take such measures in the case as we might deem necessary, copy of a letter from Mr. Backhouse, enclosing a copy of one from Mr. Goodwin at the Cape de Verd Islands, relative to the abduction of a slave, named Felipe, from St. Jago, by the Master of the "Renard," British whaler;

We beg to state to your Lordships that we have made enquiry into this matter, and it appears in the result, that the Master of the "Renard" has not committed any offence against the laws of this revenue, or the laws relating to the slave-trade, by the abduction of the slave alluded to.

(Signed)

B. B. DEAN. H. S. BOUVERIE.
G. H. VILLIERS. A. G. STAPLETON.

No. 85.

Mr. Consul Goodwin to J. Bidwell, Esq.—(Received September 3.)

SIR,

London, September 2, 1830.

I HAVE the honour to acquaint you, for the information of the Earl of Aberdeen, that I have received his Lordship's despatch, dated Foreign Office, 25th August 1830, enclosing 2 letters, from the Commissioners of His Majesty's Customs, and the Lords of His Majesty's Treasury, relative to the abduction of a slave; and acquainting me that the Master of the "Renard" is not held to have committed any offence against the laws of British revenue, or the laws relative to the slave-trade, by the abduction alluded to.

I have, &c.

(Signed)

JOHN GOODWIN.

John Bidwell, Esq.

&c. &c. &c.

No. 86.

Lord Dunglas to Mr. Consul Goodwin.

SIR,

Foreign Office, October 22, 1830.

HIS Majesty's Commissioners at Sierra Leone having transmitted to this Office a copy of the letter which you addressed to Mr. Jackson, on the 26th of March last, stating, that Mr. A. Martins, of Boa Vista, had obtained leave to import 150 negroes per annum, from Bissao and Cacheo, into the Cape de Verdes; I am directed by the Earl of Aberdeen to desire, that you will be pleased to state to me, for his Lordship's information, the grounds on which your information rests, with respect to the permission thus reported to have been granted to Mr. Martins.

I am, &c.

(Signed)

DUNGLAS.

John Goodwin, Esq.

&c. &c. &c.

NETHERLANDS.

No. 87.

The Earl of Aberdeen to Sir Charles Bagot.

SIR,

Foreign Office April 23, 1830.

I HEREWITH transmit to your Excellency the copy of a communication,* which has been received at this Office from the Admiralty, upon the subject of a practice, said to exist in the Foreign West India Islands, of giving, with too much facility, the national character to vessels, which are subsequently employed in illegal slave-trade, the penalties of which they escape through the facilities thus afforded.

The proceedings of the Mixed Commission Court at Sierra Leone, furnish numerous instances in which corroboration of the statement made by Vice-Admiral Fleeming, as to the prevalence, in many of the Foreign West India Islands, of the practice, which forms the subject of his report to the Admiralty, and as to the undue facilities, which are thereby afforded to the carrying on of an illegal traffick in slaves.

You will represent these circumstances to the Government of His Netherlands Majesty, by whom His Majesty's Government feels confident such measures will hereupon be adopted, as may be necessary effectually to prevent a system of abuse, which throws the greatest difficulties in the way of His Majesty's efforts for the suppression of illicit slave-trade, and tends to frustrate the humane objects of the Convention of 4th May, 1818, between His Majesty and the King of the Netherlands.

I am, &c.

His Excellency Sir Charles Bagot,
 &c. &c. &c.

(Signed) ABERBEEN.

* See Enclosures in No. 4.

No. 88.

Sir Charles Bagot to the Earl of Aberdeen.—(Received May 3.)

MY LORD,

The Hague, April 30, 1830.

I HAD this morning the honour to receive your Lordship's despatch marked "Slave-trade," of the 23d instant, transmitting to me the copy of a communication made to your Lordship by the Admiralty, upon the subject of the facility, with which a national character is given, in several of the Foreign West India Islands, to vessels which are known to be subsequently employed in the illicit traffick in slaves.

I shall take an immediate opportunity of making the Netherland Government acquainted with the circumstances, which are stated, in proof of this facility, in the papers enclosed in your Lordship's despatch.

I have, &c.

(Signed)

CHARLES BAGOT.

The Right Hon. the Earl of Aberdeen, K. T.
 &c. &c. &c.

No. 89.

Sir Charles Bagot to the Earl of Aberdeen.—(Received August 30.)

MY LORD

The Hague, August 21, 1830.

WITH reference to Mr. Cartwright's despatch to your Lordship, marked "Slave-trade," of the 9th of October last, I have herewith the honour to enclose to you the copy of a note, which I have this morning received from the Minister of Foreign Affairs, transmitting to me the reports made by Captain Lucas of the Netherland Navy, and Lieutenant-Colonel Last, the Commandant of the Netherland Possessions on the Coast of Guinea, respecting the traffick in slaves, carried on at the Netherland Settlement of Accra on that coast.

I have, &c.

(Signed)

CHARLES BAGOT.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosurè in No. 89.

*Baron Verstolk de Soëlen to Sir Charles Bagot.**La Haye, le 21 Août, 1830.*

LE Soussigné, Ministre des Affaires Etrangères a eu l'honneur de porter par sa réponse préalable du 5 Octobre, 1829, à la connaissance de l'Ambassade Britannique que le Capitaine de vaisseau Lucoas, commandant la frégate royale "Sumatra," serait chargé de constater sur les lieux les faits, que la dite Ambassade avait bien voulu communiquer au Soussigné, par sa note du 21 Septembre, 1829, touchant la traite de nègres, qui se ferait à Accra des Pays-Bas sur la Côte de Guinée.

M. le Capitaine Lucas s'étant acquitté de sa commission, le Soussigné s'empresse de communiquer à son Excellence Sir Charles Bagot, &c. un extrait tant du rapport, qui a été présenté par cet officier à son retour, que de celui de M. le Lieutenant-Colonel Last, Commandant les Possessions des Pays-Bas sur la Côte de Guinée.

Le Soussigné se flatte, que l'examen de ces pièces donnera la conviction à son Excellence, que, si les localités de la Côte de Guinée rendent en général la répression de la traite difficile, les Autorités des Pays-Bas sont animées de la meilleure volonté pour y parvenir, et agir à cet égard de concert avec les Autorités Européennes, Britanniques et autres, établies sur la cote, tandis que l'apparition de M. le Capitaine de vaisseau Lucas, accompagné du Commandant "d'Elmina" dans les parages soumises à la domination des Pays-Bas, ainsi que les mesures prises par eux, permettent de se livrer à l'espoir, qu'elles auront faite une impression salutaire sur les peuplades de ces contrées, et que désormais la conduite des habitans d'Accra des Pays-Bas, ne donnera plus lieu à des plaintes.

Le Soussigné prie son Excellence Monsieur l'Embassadeur de Sa Majesté Britannique, de mettre cette communication sous les yeux de son Gouvernement, et d'agréer, &c.

(Signé)

VERSTOLK DE SOËLEN.

Son Excellence Sir Charles Bagot,

&c.

&c.

&c.

(Translation.)

The Hague, August 21, 1830.

THE Undersigned, Minister for Foreign Affairs, had the honour, under date of the 5th October 1829, to reply to the British Embassy, that Captain Lucas, of the Royal frigate "Sumatra," would be instructed to make enquiries on the spot, respecting the occurrences which the Embassy in question had been pleased to communicate to the Undersigned, in its note of the 21st Sep-

tember 1829, relative to the slave-trade, alleged to be carried on at Dutch Accra, a Netherlands Settlement on the Coast of Guinea.

Captain Lucas having complied with the above directions, the Undersigned loses no time in transmitting to his Excellency Sir Charles Bagot, &c. extracts as well of the report made by that Officer on his return, as of that of Lieutenant-Colonel Last, Commandant of the Netherlands Possessions on the Coast of Guinea.

The Undersigned flatters himself, that the perusal of these enclosures will convince his Excellency, that if the position of the Coast of Guinea throws difficulties in the way of repressing the slave-trade, the Netherlands Authorities are animated with the best wishes to attain that object, and to act, for this purpose, in concert with the European Authorities of Great Britain and other nations, established on that coast, while the appearance of Captain Lucas, accompanied by the Commander of the "*Elmina*," off the points under the jurisdiction of the Netherlands, no less than the measures adopted by them, afford reason for hoping, that they will have made a wholesome impression on the tribes inhabiting those countries, and that the conduct of the inhabitants of the Netherlands Settlement of Dutch Accra, will henceforth not furnish any more grounds for complaint.

The Undersigned requests his Excellency the British Ambassador to communicate this note to his Government, and to accept, &c.

(Signed) VERSTOLK DE SOELEN.

His Excellency Sir Charles Bagot,
 &c. &c. &c.

Sub-Enclosure (A.) in No. 89.

(Translation.)

Report of Captain E. Lucas, Commander of a Ship-of-War, respecting the Slave-trade at Accra, a Netherlands Settlement on the Coast of Guinea, drawn up in compliance with Instructions of the 7th of October, 1829.

ON my arrival at St. George's d'Elmina last December, I delivered to the Commandant all the papers entrusted to me for that purpose, and was informed by him, that, having received from Commodore Collier a letter, dated the 5th of April, he had deemed it the most advisable step to request that Commodore to adopt all the means which he might judge the most efficacious, for repressing the slave-trade in the Netherlands Possession at Accra. Accordingly, by his letter of the 22d April 1829, of which a copy is annexed, he intimated this to Commodore Collier, who seems to have assented to it, as may be seen by his answer to Mr. Last, of which likewise a copy is subjoined to this report.

Having repaired with Mr. Commandant Last to Accra, where, according to Commodore Collier in his report to Mr. Croker, Secretary of the English Admiralty, to use his own expressions, "The slave-trade is carried on under the cloak of the Dutch flag to a most alarming extent," I made, on the very spot, to the best of my ability, a very strict enquiry into the subject, and concerted such measures, as appeared the most proper for checking the slave-trade at Accra.

In the presence of Mr. Commandant Last and the Superintendent of Provisions, Mr. S. Prince, I assembled the King, and the Grandees belonging to the District of Accra, in Fort Crevecœur; Ancra, however, did not attend, as he happened to be in the interior, on a hostile expedition against the Crepes. I rebuked them, on account of their irregularities in presuming to trade in slaves, against the express pleasure of His Majesty, our King. They replied, that Commodore Collier's complaint against them was not very fair; for, though they would freely and unreservedly confess that they had some hand in this traffick, yet the same trade was also carried on in the English Settlements along the coast, to the same extent as in the District of Accra belonging to the Netherlands, and was tacitly tolerated, because the war between England and the Ashantees deprived them of every other means of subsistence but that arising from the slave-trade. They, however, promised not to en-

gave any more in that prohibited trade. I then enquired, how that trade was carried on in the English and Danish portions of Accra, and found that the expression of its going on "under the cloak of the Dutch flag" was not very exact, for the 2 gentlemen of the "Sybille" merely say, that they had seen slaves "in the rear of Dutch Accra." It also appears, from that letter, that, among these slaves, there was one who lived at Cape Coast, of the name of Cutgar Oterbak, and who, though an English subject, has not been claimed. Another reason which induces me to believe that the slave-trade is not very alarming at Dutch Accra, is, that though one of the English men-of-war, stationed on the Coast of Guinea, occasionally stops for a couple of days at Accra, those ships cruise chiefly from Prince's Island, along Fernando Po, the Bays of Biafra and Benin, as far as St. Paul.

According to the Commodore's letter to Mr. Secretary Croker, the slave-trade was carried on, in broad day, in Dutch Accra; the English fort is not distant from the Dutch more than a quarter of an English mile, that is about 5 minutes, and there was not so much as a serjeant or corporal to exercise any authority in the Dutch fort, which is said to be deserted by the Dutch, who have only left their flag there.

To these observations it may be permitted to reply:— 1. As the English and Dutch forts are seated on the beach of an uninterrupted line of coast, very near each other, and at from 60 to 80 feet above the level of the sea, so that no very distinct limit seems to exist between the roadsteads of the 2 forts, it would be so much the more easy for the English fort to prevent the putting off of canoes attempted to be employed for taking slaves on board of ships, as the usual anchoring place of Dutch Accra is between the 2 forts.

2. Serjeant Koning has, for several consecutive years, been placed in the Dutch Fort at Accra, where, during the 3 voyages I have had occasion to make thither, I have always found him wearing the national uniform.

3. The Dutch flag, as stated above, is occasionally hoisted on the fort, and the enquiries, which might have been made of the individual whose duty it is to plant it, would have afforded a conclusive proof that the fort is not abandoned by the Dutch.

Serjeant Koning, however, who, in my opinion, ought to have informed Commandant Last that slaves were embarking at Accra, having, by this dereliction of duty, incurred the charge of negligence, is, in consequence of my agreement with the Commandant, to be superseded by one of the assistants at St. George's d'Elmina. Still I do not believe that all this will prevent the slave-trade, though it probably will cease at Accra.

From Sierra Leone, not to mention the places situated more to the northward, down to the Bay of Biafra, an extent of coast of some hundreds of miles, the slave-trade is carried on, more or less, at several points; but the negroes are, for the most part, shipped lower down the coast.

There is no hamlet belonging to England, the Netherlands, or Denmark, but has, from time to time, some negroes carried away from it; to prevent which entirely, would perhaps require more men than the war with the Ashantees has cost the English.

The blacks are not by any means so much under the controul of Europeans as it may be supposed in Europe. This may be inferred, among other proofs, from the fact, that the Commandant of Cape Coast was unable, in 1828, to prevent the negroes, under the jurisdiction of the English Government, from attempting to seize upon the principal Dutch fort on the coast, namely, St. George d'Elmina, and Fort Koenraadsburg, any more than from waging open war, till the losses which they were put to compelled them to retreat.

Rarely a week, not to say a day, passes, but the Governments receive complaints of negroes having been carried off from such or such a village. If it be ascertained in whose hands they are, they are demanded back, and the negro is conducted to the principal fortress, or other fortified place, if any such there be, near the village; but should the village chance to be at some distance from them, the inhabitants content themselves with sending excuses, or even an insolent answer, with which the Governments are obliged to put up, because the forces at their disposal are too insignificant to allow them to dispatch troops thither, unless a ship-of-war, by the imposing spectacle of some pieces

of ordnance, reduce for a moment the guilty to reason ; and even then it frequently happens, that the blacks are not restored, and that it is pretended, by way of excuse, that they have run away.

When closely pressed, they make fair promises, but the instant they can breathe freely, they perform no more than suits them. It also happens, that when a man-of-war anchors in front of a village, as has been my case with the "Sumatra" before Ahan, and when the inhabitants have not a clear conscience, that they sculk in the woods, with their canoes, and some goats, their hammocks, and a little maize, which constitutes their whole property. You may burn their huts, if you please, but this remedy is insufficient to put a stop to the grand evil. Indeed, you might lay the whole Dutch Settlement of Accra in ashes ; it would have no other effect than to force the inhabitants to take refuge in the woods, whence, to revenge themselves, they would still sally forth, to kidnap negroes from the neighbouring villages, and dispose of them just as theretofore.

As boats may approach the whole of this coast with equal ease, the slave-vessels cast anchor there before the villages, and buy and embark negroes ; so that while the blacks of the Coast of Guinea are willing to carry on this traffick, and find that they can gain so much by it, there is nothing to hinder them.

If England could make peace with the Ashantees, this event, to which the attention of the English Government seems not to have been sufficiently directed, might benefit the good cause, and I think this might be brought about by the Governments of England, Holland, and Denmark, sending out impartial Commissioners.

It would also be highly important to endeavour to prevent, by measures of severity, the importations of slaves into the West Indies and America, and to try to prevail on the negroes to hire their labour of their own free will for a certain period ; for should this expedient succeed, it would enable the planters to cultivate their grounds, whereas in the present state of affairs they suffer, though the philanthropic views of the Governments desirous of repressing the slave-trade, are not realised.

Sub-Enclosure (B.) in No. 89.

(Translation.)

Report of the Lieutenant-Colonel-Commandant of the Dutch Possessions on the Coast of Guinea.

St. George del Mina, January 3, 1830.

I HAVE, to the best of my ability, persevered in opposing the slave-trade by sea, principally at Accra, and after my correspondence with Commodore Collier, in April and June 1829, and the orders issued to the Serjeant stationed at Accra, as well as the pressing exhortations addressed to the Government and the negro population of this district, all that remained for me to do, was to wait the arrival of one of the King's ships, for the purpose of adopting such measures of greater rigour, as circumstances might require.

When, on the 16th December last, the Royal frigate "Sumatra" arrived in this road, I apprized her Captain, Colonel Lucas, how matters were situated, and after he had communicated to me part of his instructions concerning the slave-trade at Accra, I made no hesitation in demanding, on the 20th of the same month, a passage in that ship, with the view of examining the lower portion of the coast, which demand was granted the same day.

When, on the 22d December I repaired on board, without stating my destination, in order not to awake any suspicion at the places where I wished His Majesty's frigate might arrive quite unexpectedly, I intimated to Colonel Lucas my desire to visit, previous to proceeding to Accra, some Dutch individuals residing on the lower coast, whose want of subordination had afforded me reasons for being dissatisfied with them ever since the war of General Macarthy, in 1824 and 1826, and against whom my own means of controul had proved of no avail. Among these individuals, I included chiefly those of Cormantin and Apani, who both thought themselves under

no obligation of recognizing the jurisdiction of the Netherlands Government, and who had on that account taken the liberty of detaining more than once some inhabitants of Elmina, and of exacting large ransoms from them without possessing any the least right so to do. At that very time there were yet detained in the former of these places 2 females, for whose release I had exerted myself in all manner of ways.

On the morning of the 23d the frigate put to sea, and in the afternoon, we came to an anchor before Cormantin.

The messenger, whom I immediately on my arrival sent with the baton of command, to the Negro Government and to the principal people of the village, with the view of summoning some before me, and obtaining the restitution of the female prisoners in question, as well as of many other individuals detained in the most illegal manner and destined for slavery, brought me back no other reply, than that they considered themselves as Fantins, and had no concern whatever with the Government of Elmina.

After some deliberations I ordered the launch to be armed, and the other boats to be manned with sailors, and provided with carronades, and then went on shore myself at the head of these troops, and of the detachment of the garrison of Elmina, which I had brought with me.

Having caused to be set on fire some 80 or 100 canoes that were along the coast, near Little Cormantin, I marched with my troops up the hill that leads to Great Cormantin, where almost all the people, who are very numerous, were under arms to repulse us. We nevertheless succeeded in getting into our possession the 2 just-mentioned females, natives of Elmina, who, in the most cruel manner, were tied to a wooden post. We also seized 2 members of the Negro Government, and took away a musket; when, it being near night fall, I deemed it prudent to return on board.

Meanwhile Mr. Hutchinson, the English resident of the neighbouring Fort Annemaboe, came to see the Colonel, and at his invitation we next morning paid him a visit at Annemaboe.

Speaking of what had happened the day before at Cormantin, Mr. Hutchinson observed, that such measures were not only beneficial, but even indispensable for the preservation of good order and of the personal safety of the natives. He added, that, as to the continuance of the slave-trade, rumours had a long time been current, that not only the Dutch subjects at Accra, but also the English and Danish were much engaged in it, and that sometimes conversations were repeated, held in the presence of Commodore Collier, or in that of his Officers, whence it would appear that English functionaries, or at least English subjects, had declared, that they had no other means of subsistence left than the slave-trade. It would perhaps not be denied, that Dutch Accra had, for want of a garrison, been sometimes fixed on for a place to embark at; but it is remarkable, that when Fernandez, the Spanish merchant, who is alluded to in Commodore Collier's letter of the 15th June last, had, in consequence of my order, received from Serjeant Koning an injunction to quit the Dutch Territory at Accra, he chose a retreat with Mr. Fry, the Commandant of the English portion, situated at a small distance from thence. Mr. Hutchinson informed us also of the occurrence at Apam, some natives of which had not long ago sold at Accra a negro of Cormantin, called Atta, to the Caboceer Ahio, and that the family of the sold negro had bought him back, by his, Mr. Hutchinson's, intervention, and by that of Mr. Bannerman at Accra, who had put a young negro in his place, and had paid 2 Spanish dollars.

Upon hearing this account, we took the negro, who had been re-bought, on board with us, that he might serve as evidence at Accra.

After a short stay at Annemaboe, we sailed along the coast to Little Cormantin, where we also sent for the Negro Government to confer with me.

They obeyed the summons, and brought along with them a negress of Elmina, having already, the evening before, very late, sent on board a female that had several times been claimed to no purpose.

I then sent a message to the king of the place, that I should keep as hostages the 2 inhabitants I had taken the day before, till he should restore all the inhabitants of Elmina still in his power.

When off Apam, I dispatched, as I had done at Cormantin, a canoe with a messenger bearing the baton, to invite the king and some of the inhabitants of note, to come on board. The canoe soon returned, accompanied with another vessel, containing the king's son, and 4 of the principal inhabitants, instructed to apologize for the king, who was prevented by illness from repairing personally on board. When asked by us respecting the 'Tapoyers (sic) Thomas Lifling, and Bart Frederic Plange, known for a long time as the brokers of Ancra for the purchase of slaves, they assured us, that these two persons had proceeded with merchandize to Fantuin Queory, an English Settlement in the environs, in order to carry on their traffick there, and that most assuredly they would not re-appear at Apam, as they had refused to pay to the Negro Government some local imposts. We then conversed with the deputation, on the reprehensible conduct of the Government in question, as well in refusing to recognize the authority of the Netherlands, as in regard to the slave-trade; and we seriously exhorted them to abstain from it for the future, if they would not expose themselves to a punishment similar to that of the Cormantins. They instantly promised to obey my orders, and pledged themselves to it by taking their usual oaths.

As soon as we were returned on board, we put to sea again, and in the afternoon cast anchor in the roadstead of Dutch Accra, where Colonel Lucas sent forthwith an armed boat, with one of the officers, and Serjeant Barends of the detachment of Elmina, to ascertain whether there were any slaves at the house of Ancra, the well-known merchant; but none were found.

Having gone on shore myself, I sent the same evening the baton of command to the chief inhabitants of the village, to give them notice to repair next morning at 8 o'clock, to Fort Crevecœur. They came on the 26th.

When Colonel Lucas had arrived in the morning with the First Clerk and Superintendant of Provision, we remonstrated with the negroes on their delinquency, in persisting to carry on the slave-trade, and we insisted upon their pointing out to us those of the inhabitants who principally favoured it, inasmuch as they had been accused by the English Government, but that Ankrate was particularly exculpated.

We expected that they would employ every artifice to deny the charge, or clear themselves of it; but when they heard that some Cormantin hostages, and Atta, the Anemaboe negro, were on board the frigate, they, probably fearing the same fate, for some time consulted together, and then declared:

1. That though they had been engaged in the prohibited slave-trade, it was only imputable to their having been drawn into it by the offers of some Englishmen and Danes.

2. That they could not, indeed, designate any particular individual who particularly countenanced this trade, but that, likening themselves to a woman deserted by her husband, and tempted by various persons, they alleged that a state of destitution, and want of all the necessities of life, had driven them to it.

3. Lastly, that Ancra had been for some time with their army in the field, combating the Crepes, with whom they were at war. The abovementioned Lifling and Plange, who came with them, protested, that they had never had any hand in this prohibited traffick, but were residing in the English Territory of Whennebah, for the sole purpose of selling popopaanbjes, that is to say, articles of wearing apparel for negroes.

Finally, we demanded and obtained from the Caboceer Ahir the restitution of the slave, and of the 10 Spanish dollars that had been given him by Mr. Bannerman, as a ransom for the Coromantine negro Atta, of Anemaboe, and we referred him, for an indemnity, to the King of Apam, who had sold him that negro. They also restored to me another debtor of Elmina, of the name of Kivassie Mysang, who had come himself in quest of an asylum at Accra, and surrendered himself as a hostage for 2 ounces of gold.

Colonel Lucas and I having taken these circumstances into mature consideration, we were of opinion, that the Dutch subjects were not those who in this settlement favoured the slave-trade the most, at least we could not discover any proof of their having engaged in it since the last voyage of Commodore Collier last June; and having recollected that this gentleman, in his letter

of the 11th June, declares that he conversed with Ancra, who has been for a length of time both known and suspected, without having secured his person, in order to give him up to the Netherlands Government, who had several times demanded him from the English squadron; we preferred keeping the people of Accra in their present favourable disposition, and contented ourselves this time merely with severe exhortations and serious cautions for the time to come, without prejudice to any ulterior measures which we might think proper to adopt hereafter.

I have therefore discharged from His Majesty's service Serjeant Koning, who was stationed at Accra with a private, and have provisionally replaced him by a corporal and 6 rank and file of the detachment of Elmina, who happened to be on board.

We then ordered the house of Ankra, the slave-merchant, to be searched for the second time, and having discovered nothing, we applied to his brother the Caboecer Ahir, in order to obtain from him more positive information respecting the rumours, which the Colonel and I had heard during our stay at Accra, on the subject of the authority of the Danish Possessions of this Coast; after some hesitation that negro assured us, that some time ago 100 slaves, belonging to his brother Ankra, had been sent to the lower coast to be there embarked; that in sailing past a Danish Settlement, probably Ningo, the vessel had been stopped by order of the Functionary of the place and conveyed to Christiaanburg, the Governor of which had levied a mulct of 10d. a head for her having engaged in the forbidden slave-trade; but that as the Captain had been unable to furnish the money, the Governor had taken in payment 3 of the slaves, and warned the merchant not to approach any more the Danish Possessions with slaves on board, or the same proceeding would be adopted every time he should return.

These circumstances were so generally known among the people, that we had no reason to doubt their reality; but having understood that the Danish Governor was absent from Christiaanburg, and on a visit at Fuida to a slave-merchant, well known under the name of Jouzas, and likewise of Chichat, we could not call at Danish Accra, and I must defer acquainting Mr. Lint, on my return, with what we had been told, and requesting him to stop hereafter, all Dutch subjects engaged in the slave-trade, who may be found with slaves on Danish ground, to enable me to visit them with the punishment directed by my Government.

As the object of my voyage appeared now to have been sufficiently attained, and as we intended to embark the same day on board the Colonel's ship, for the purpose of going to Axim, on the upper coast, we once more exhorted the Negro Government, and the respectable inhabitants of the village, to refrain hereafter from the prohibited slave-trade, adding, that probably I should send them a Functionary to reside among them.

They again promised to comply with my orders, and with this assurance we returned on board and put to sea the same day.

Sub-Enclosure (C.) in No. 89.

Colonel Last to Commodore Collier.

SIR,

Elmina Castle, April 22, 1829.

I BEG leave to acknowledge the receipt of your letter of the 5th instant, including copy of a report made to you by the Officers of His Britannick Majesty's ship under your command, concerning the detention of a number of slaves in the house of a native of Dutch Accra, named Ancra, the said slaves linked in irons for the purpose of illicit traffick.

By returning you my sincerest thanks for these informations, I beg to add, that, until now, I was under conviction, that the measures I had taken a long time since, and renewed only a few months ago, would have prevented any of the natives residing under Dutch flag to indulge themselves in this horrid and inhuman trade; all my attempts, however, to secure Ancra, of whose guilt

in this matter I was well aware, have been unsuccessful, and the only punishment it has as yet been possible to inflict upon him, has been the destruction and demolishing of his house and property, which was twice done by British forces. As all this appears by your statement to have been of no avail, I must confess, that unless any of His Netherland Majesty's ships arrive at this moment, I have not sufficient means to prevent by violence, the proceedings of the principal actor, Ancra, and I shall also consider it as the surest obligation you can impose upon me, by using the forces under your command for the purpose of putting an end to a traffick held in abhorrence by our respective Governments.

I have, &c.

(Signed)

F. LAST.

His Excellency Commodore Collier,
&c. &c. &c.

Sub-Enclosure (D.) in No. 89.

Commodore Collier to Colonel Last.

SIR,

His Majesty's Ship "Sibille," Accra, June 15, 1829.

I HAVE the honour to acknowledge the receipt of your letter of the 22d April, and in reply have to inform you, that having learnt that a Spanish armed brig had landed a cargo at Dutch Accra, for the purpose of procuring a number of slaves, I proceeded to this anchorage and found that my information had been correct.

I in consequence requested the Caboceers of Dutch Accra to meet me on the subject, which they did. I shewed them your letter and assured them, that if they persisted in the traffick they were now embarked in, in supplying these Spaniards with slaves, that I would in conjunction with you, and at your desire, destroy their town.

I was aware that many innocent might suffer with the guilty; it, therefore, became all their duty to prevent slave-dealing being carried on. I told Ancra, I was quite aware that he was the principal. He even acknowledged having the Spanish brig's cargo, and asked what he was to do with it.

At last they have all promised, that there shall be no more slave-dealing there. Would you, Sir, were to let them know you are aware of this Spanish brig having landed her cargo, &c., and that a Mr. Fernandez, a Spanish subject from Whydah, was residing at Dutch Accra for the purpose of purchasing slaves, and assure them, if they permit such traffick in future to go on there, and not send the Spaniards away, that you will in conjunction with the British squadron destroy them.

I am, &c.

(Signed) F. A. COLLIER, Commander.

Colonel Sir Frederick Last,
&c. &c. &c.

No. 90.

Viscount Palmerston to Sir Charles Bagot.

SIR,

Foreign Office, December 10, 1830.

I HEREWITH transmit to your Excellency the copy of a despatch,* and of its enclosure, from His Majesty's Commissioners at Surinam, stating, with reference to former reports of the absence from that station of ships destined to repress the illegal traffick in slaves, that there is now always one, and there are frequently three, ships of war stationed in the harbour of Surinam.

* See Class A.—No. 117.

The Commissioners state, that from the time of the arrival to the time of the departure of a ship of war, it appears to be a settled rule, that she should never take a cruize; and they truly observe, that if, instead of the practice of lying constantly in the river, the ships of war were in the habit of cruising off the coast, opportunities, which now exist for the introduction of African slaves into the colony, and the subsequent escape of the vessel by which they are introduced, as happened in a recent instance, would be prevented.

Your Excellency will take an opportunity of placing these observations, in a way not calculated to give offence, before the Netherlands Government, of the sincerity of whose desire effectually to put down all attempts at illegal slave-trade, His Majesty's Government are entirely satisfied.

I am, &c.

(Signed) PALMERSTON.

His Excellency Sir Charles Bagot,
 &c. &c. &c.

No. 91.

Sir C. Bagot to Viscount Palmerston.—(Received December 28.)

MY LORD,

The Hague, December 23, 1838.

I HAD yesterday the honour to receive your Lordship's despatch, marked "Slave-trade," of the 10th instant, transmitting to me the copy of a despatch from His Majesty's Commissioner at Surinam, representing that, although the Netherland Government had of late regularly sent ships of war to that station for the purpose of repressing the illegal traffick in slaves, these ships were in the practice of lying constantly in the river, instead of cruising off the coast for the better interception of any vessels engaged in the slave-trade in that quarter.

I have this morning spoken to Monsieur de Verstolk upon the matter, and as he has readily undertaken to make, in the proper quarter, immediate representations in regard to it, I have not thought it necessary to make it the subject of a written communication.

I have, &c.

(Signed)

CHARLES BAGOT.

The Right Hon. Viscount Palmerston,
 &c. &c. &c.

FRANCE.

No. 92.

Lord Stuart de Rothesay to the Earl of Aberdeen.--(Received March 4.)

MY LORD,

Paris, March 1, 1830.

THE accompanying account of infractions of the regulations for prohibiting the slave-trade in the territories of His Most Christian Majesty, have appeared in a journal, which is published at Paris.

The difficulty of ascertaining, how far the statements are correct, induces me not to submit the subject to the consideration of the French Ministers, until I hear that they have been corroborated by the reports, which reach His Majesty's Government through other channels.

I have the honour, &c.

(Signed) STUART DE ROTHESAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 92.

(Extract.)

Courier Français. February 26, 1830.

ON nous donne la liste de 11 bâtimens nègriers entrés dans la colonie,* pendant la saison l'hivernage; on indique les habitations où les ventes devaient se faire presque publiquement, et les autorités le savent. Dans les premiers jours de Décembre, on a trouvé sur la rive de la commune du Robert les cadavres d'un assez grand nombre de ces infortunés, qui avaient été jetés à la mer. On croit qu'il en a péri une centaine. Une seule maison au Robert a reçu 460 nègres de traite; au quartier de François, 125; au Gallion, 132; au Prêcheur, 260.

* Martinique.

(Translation.)

WE have received the list of 11 slave vessels, which have entered the colony,* during the winter season; the houses in which the sales will be almost publicly made are pointed out, and of this the authorities are aware. In the beginning of December there were found, in the river of the commune Robert, the dead bodies of a great number of these poor creatures, who had been thrown into the sea. It is believed that 100 of them have perished. One single house at Robert has received 460 trade negroes: the Quarter François, 125; that of Gallion, 132; and that of Prêcheur, 260.

* Martinique.

No. 93.

The Earl of Aberdeen to Lord Stuart de Rothesay.

MY LORD,

Foreign Office, April 23, 1830.

I HEREWITH transmit to your Lordship the copy of a communication* which has been received at this Office from the Admiralty, upon the subject of a practice, said to exist in the Foreign West India Islands, of giving, with too much facility, the national character to vessels, which are subsequently employed in illegal slave-trade, the penalties of which they escape, through the facilities thus afforded.

The proceedings of the Mixed Commission Court at Sierra Leone furnish numerous instances, in corroboration of the statement made by Vice-Admiral Fleeming, as to the prevalence, in many of the Foreign West India Islands, of the practice which forms the subject of his report to the Admiralty, and as to the undue facilities, which are thereby afforded to the carrying on of an illegal traffick in slaves.

You will represent these circumstances to the Government of His Most Christian Majesty, by whom His Majesty's Government feels confident such measures will hereupon be adopted, as may be necessary effectually to prevent a system of abuse, which throws the greatest difficulties in the way of His Majesty's efforts for the suppression of illicit slave-trade, and tends to frustrate the humane objects of the Convention of the 30th of May, 1814, between His Majesty and the King of France.

I am, &c.

(Signed) ABERDEEN.

His Excellency Lord Stuart de Rothesay.

&c.

&c.

&c.

* See Enclosure in No. 4.

No. 94.

The Earl of Aberdeen to Lord Stuart de Rothesay.

MY LORD,

Foreign Office, April 30, 1830.

WITH reference to my former despatches on the subject of the slave-trade, carried on under the flag of France on the Western Coast of Africa, I transmit to your Excellency, for communication to the French Government, the accompanying copy of a paper, received at this Office from the Admiralty, containing a return of French slave-vessels spoken with by His Majesty's squadron on the Western Coast of Africa, between the 1st of July and the 31st of December, 1829.

I am, &c.

(Signed)

ABERDEEN.

His Excellency Lord Stuart de Rothesay.

&c.

&c.

&c.

Enclosure in No. 94.

Return of Vessels, under the French Flag, spoken with by the Squadron on the Western Coast of Africa, under the orders of Commodore Collier, C. B. 1st July to 31st December 1829.

Date.	By what Vessel.	Place.	Vessel.	Master.	Owner.	How rigged.	Number of			Where			Cargo.	REMARKS.
							Men.	Guns.	Tons.	From.	Bound.	Belonging.		
1829. Aug. 7	Sybille	Acera	Virgine	Isnard	Cherorgé	Brig	16	2	132	Bahia	Lagos	Martinique	{ Tobacco, Rum, &c.	{ Formerly L'Aimable Europe: her Master, in 1826, took 180 slaves from the River Benin, in L'Hermione, a schooner under French colours. Fitted for slaves. Having on board 120 slaves belonging to a Spaniard; was detained and sent to Sierra Leone. Is reported to have sailed 2 days after with slaves, and under Brazilian colours. Her papers stated her to have cleared out for Buenos Ayres. Buenos Ayres. Shewed a parchment register from Nantz, dated 1824. Evidently for Slaves. Detained in consequence of Master and Mate depositing to her being a Dutch vessel.
Nov. 19	Ditto	Off Fernando Po	Eliza	Constant Herpin	{ Constant Herpin	Ditto	35	4	151	Old Calabar	Martinique	Ditto	400 Slaves	
Oct. 23	Atholl	Off Cape Mount	Jeanne	"	"	Schooner	19	4	120	Nantz	Africa	Nantz	None	
" 1	Ditto	{ Lat. 9° 20' N.; Long. 16° 50' W.; }	Laure	I. V. Jastram	"	Ditto	38	6	160	Shabar	Martinique	Martinique	372 Slaves	
Sept. 30	Plumper	{ Off the River Cavally }	Jenny	{ Jean Baptiste Chevalier }	Talva	Ditto	14	2	122	Nantz	Africa	Nantz	General Cargo	
" 30	Ditto	"	Leonarda	A. Bardou	Chardonneaux	Brig	31	4	183	"	"	"	Ditto	{ Buenos Ayres. Shewed a parchment register from Nantz, dated 1824. Evidently for Slaves. Detained in consequence of Master and Mate depositing to her being a Dutch vessel.
" 3	Clinker	River Gabon	Adolphe	C. Dupin	"	Ditto	26	4	257	Guadeloupe	Guadeloupe	Guadeloupe	Ditto	
" 22	Ditto	Off Fernando Po	Félicité	De Foux	De Foux	Ditto	20	2	131	{ Old Calabar River }	Porto Rico	Nantz	250 Slaves	
Oct. 2	Ditto	River Gabon	Metche	A. Drouet	{ Messrs. Ginaut }	Schooner	16	2	93	Guadeloupe	Guadeloupe	Guadeloupe	General Cargo	
" 16	Ditto	Old Calabar River	Julian	"	"	Ditto	"	"	"	Calabar	Porto Rico	Martinique	280 Slaves	
Dec. 30	Atholl	{ Lat. 0° 9' N.; Long. 8° 27' E.; }	La Louise	Eves Perrene	Van Bureaux	Brig	16	2	141	{ Old Calabar River }	Martinique	St. Martin	225 Slaves	

(Signed) F. A. COLLIER, Commodore.

No. 95.

Lord Stuart de Rothesay to the Earl of Aberdeen.—(Received May 24.)

MY LORD,

Paris, May 21, 1830.

IN obedience to the instructions contained in your Lordship's despatch, marked "Slave-trade," of the 30th April, 1830, I have transmitted to Monsieur de Polignac, the list of vessels engaged in the slave-trade, which have been met by His Majesty's ships-of-war, cruizing on the Coast of Africa, together with the accompanying note.

I enclose a copy of the answer I have received.

I have, &c.

(Signed) STUART DE ROTHESAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

First Enclosure in No. 95.

Lord Stuart de Rothesay to the Prince de Polignac.

SIR,

Paris, May 10, 1830.

THE vessels named in the accompanying list, having been encountered by His Britannick Majesty's ships, cruizing on the West Coast of Africa, between the months of July and December, under circumstances which leave no doubt that they had been engaged in the slave-trade, the Undersigned is again compelled to call the attention of his Excellency the Prince de Polignac to the subject, and to express the hope, that the measures will be adopted, which appear necessary to remedy so flagrant an infraction of the regulations of France, for the abolition of that trade by French subjects.

(Signed) STUART DE ROTHESAY.

His Excellency the Prince de Polignac,

&c.

&c.

&c.

Second Enclosure in No. 95.

The Prince de Polignac to Lord Stuart de Rothesay.

MONSIEUR L'AMBASSADEUR,

Paris, le 17 Mai, 1830.

J'AI reçu avec la lettre, que votre Excellence m'a fait l'honneur de m'écrire le 10 de ce mois, une liste de bâtimens, sous pavillon Française, signalés comme faisant la traite des noirs sur la Côte d'Afrique.

Je prie votre Excellence de recevoir mes remerciemens de cette communication, dont le Gouvernement du Roi s'empressera de faire usage.

J'ai l'honneur, &c.

(Signé) LE PRINCE DE POLIGNAC.

Son Excellence Lord Stuart de Rothesay,

&c.

&c.

&c.

(Translation.)

MONSIEUR L'AMBASSADEUR,

Paris, May 17, 1830.

I HAVE received, with the note which your Excellency did me the

honour to address to me on the 10th instant, a list of vessels, under the French flag, reported as trading for negroes on the Coast of Africa.

I beg your Excellency to accept my thanks for this communication, of which His Majesty's Government will hasten to avail themselves.

I have, &c.

(Signed) LE PRINCE DE POLIGNAC.

His Excellency Lord Stuart de Rothesay,
 &c. &c. &c.

No. 96.

The Duc de Laval Montmorency to the Earl of Aberdeen—(Received June 4.)

MY LORD,

Londres, 4 Juin, 1830.

J'AI l'honneur d'informer votre Excellence, què le pavillon du Roi vient d'être l'objet d'une nouvelle violation, de la part de la croisière Anglaise sur la Côte Occidentale d'Afrique.

Les brics négriers "*La Laure*" et "*La Louise*" ont été arrêtés par le Capitaine Alexander Gordon, du bâtiment de Sa Majesté Britannique "*L'Atholl*," et conduits à Sierra Leone, où un jugement de la Commission Mixte a déclaré illégale leur arrestation. Mais le premier de ces navires, "*La Laure*," s'étant trouvé sans défenseur, par suite des mesures prises contre lui, a été définitivement confisqué par le Collector de la Colonie, en vertu d'un Acte du Parlement, qui ordonne la confiscation de tout bâtiment négrier, arrêté dans les eaux sous la domination de Sa Majesté Britannique.

Le second navire "*La Louise*," ayant conservé son Commandant et une partie de son équipage, quitta Sierra Leone aussitôt après le jugement de la Commission Mixte.

Ces actes non seulement constituent une violation du pavillon Français, et une atteinte au droit des gens, mais ils contravent encore l'action confiée aux croisières Françaises, pour assurer l'application des lois relatifs à la traite des noirs. Sous ce double rapport, le Gouvernement de Sa Majesté Très Chrétienne, a cru devoir faire des représentations sérieuses au Cabinet Britannique, et réclamer de lui des instructions, qui prescrivent aux Commandants des croisières Anglaises, plus de réserve dans l'exercice de leurs fonctions, et qui soient, en même tems, de nature à prévenir le retour d'actes, dont la répétition compromettrait la bonne intelligence que, dans l'intérêt des lois sur la traite, il convient de maintenir entre les croisières des deux nations.

J'ai l'honneur de prier votre Excellence de vouloir bien m'informer des résolutions, qui seront prises à cet égard par le Gouvernement de Sa Majesté Britannique.

J'ai l'honneur d'être, &c.

(Signé) MONTMORENCY LAVAL

Son Excellence M. le Comte d'Aberdeen,
 &c. &c. &c.

(Translation.)

MY LORD,

London, June 4, 1830.

I HAVE the honour to inform your Excellency, that the French flag has become the object of a new violation, on the part of the English cruizers on the Western Coast of Africa.

The slave brigs "*La Laure*" and "*La Louise*" have been seized by Captain Gordon of His Britannick Majesty's ship "*Atholl*," and taken to Sierra Leone, where a decision of the Mixed Commission has declared their seizure illegal.—But the former of these vessels, "*La Laure*," being left without a

protector, in consequence of the measures taken against her, has been definitively confiscated by the Collector of the Colony, by virtue of an Act of Parliament, which orders the confiscation of every slave-vessel, seized in the waters under the dominion of His Britannick Majesty.

The second vessel, "*La Louise*," having retained her Commander and a part of her crew, left Sierra Leone immediately after the decision of the Mixed Commission.

These acts constitute not only a violation of the French flag, and an infringement of the law of nations, but they also fetter the operations entrusted to the French cruizers to ensure the fulfilment of the laws relating to the slave-trade. On both these accounts the Government of His Most Christian Majesty has thought it right to make serious representations to the British Cabinet, and to demand from it instructions which shall prescribe to the British cruizers more circumspection in the exercise of their functions, and shall, at the same time, be of such a nature, as to prevent their again committing acts, a repetition of which will compromise the good understanding which, for the advantage of the laws on slave-trade, it is right should be maintained between the cruising stations of the two nations.

I have the honour to request that your Excellency will have the goodness to inform me of the determinations, which may be taken on this subject by the Government of His Britannick Majesty.

I have, &c.

(Signed)

MONTMORENCY LAVAL.

His Excellency the Earl of Aberdeen,
&c. &c. &c.

No. 97.

Lord Stuart de Rothesay to the Earl of Aberdeen.—(Received June 21.)

MY LORD,

Paris, June 18, 1830.

IN obedience to your Lordship's directions, I presented to Prince Polignac the note I have the honour to enclose, containing the substance of the information which has reached His Majesty's Government, respecting the continuation of the slave-trade in the West Indies.

I yesterday received the enclosed answer, in which the information I had transmitted is contested, upon grounds which his Excellency has by no means proved to be worthy of credit.

I have, &c.

(Signed)

STUART DE ROTHESAY.

The Right Hon. the Earl of Aberdeen, K.T.
&c. &c. &c.

First Enclosure in No. 97.

Lord Stuart de Rothesay to the Prince de Polignac.

SIR,

Paris, May 5, 1830.

THE proceedings of the Mixed Commissions at Sierra Leone, and the reports of the Officers commanding His Majesty's ships in the West Indies, and on the African Coast, concur in representing the mischief, which results from the facilities, with which the change of national character and colours is afforded to vessels in those seas.

The accompanying statement,* in particular, shews that this practice is resorted to for the purpose of committing piracy, and evading the penalty attached to the illegal traffick in slaves.

The humane objects of the Convention of May 5, 1814, between the two

* See Sub-Enclosure (A.) in No. 4.

Governments, being therefore defeated, I must express to your Excellency the hope of my Court, that the measures will be adopted, which appear necessary to prevent the continuance of such abuses.

I avail myself, &c.

(Signed) STUART DE ROTHESAY.

His Excellency the Prince de Polignac,
&c. &c. &c.

Second Enclosure in No. 97.

The Prince de Polignac to Lord Stuart de Rothesay.

MONSIEUR L'AMBASSADEUR,

Paris, 12 Juin, 1830.

VOTRE Excellence m'a annoncé le 5 Mai dernier, qu'elle était chargée par sa Cour de réclamer dans l'intérêt de l'abolition de la piraterie, et de celle de la traite, contre les facilités que les bâtimens, naviguant dans les mers des Antilles, et dans les parages de la Côte Occidentale d'Afrique, obtiennent pour changer leur nationalité.

La lettre de votre Excellence était accompagnée d'un rapport de Monsieur l'Amiral Fleeming, contenant des allegations, qui tendent à imputer au Gouvernement du Roi la continuation d'un trafic, qu'il a jusqu'à ce jour ostensiblement et effectivement poursuivi, à l'aide des mesures les plus persévérantes et les plus rigoureuses.

Votre Excellence s'étant abstenue de reproduire ces allegations, je dois me borner à lui témoigner le regret, de voir les Agens de son Gouvernement manifester et communiquer des soupçons, où se montre une appréciation, au moins irréfléchie, des causes, qui entretiennent encore le commerce des noirs.

La Surveillance, que le Gouvernement du Roi a recommandée, tant dans les Ports de France que dans ceux de ses colonies, y a rendu, en quelque sorte, impossible l'armement des navires que peuvent être destinés à cet odieux trafic. Les faits les plus notoires attestent, et Monsieur l'Amiral Fleeming le reconnaît lui même, que le plupart des bâtimens équipés à la Martinique et à la Guadeloupe, avec destination ultérieure pour la traite, et dont presque tous son Américains, sont obligés, afin d'éviter les poursuites, auxquelles ils seraient infailliblement exposés dans ces colonies, de se rendre à l'Isle de St. Thomas, pour y obtenir la permission de s'armer, et pour y recevoir leurs cargaisons.

Quant aux opérations de traite, qui ont lieu sur la Côte d'Afrique, l'exactitude, avec laquelle la station Française dans ces parages, remplit le service que lui est confié, est prouvée par les soins que prennent les Capitaines des navires négriers, pour se couvrir en sa présence d'une nationalité étrangère, au moyen de papiers de mer, obtenus dans les Isle Danoises, Espagnoles, ou Suédoises. Il est dès-lors évident, que les Agens du Roi sont étrangers aux facilités, que de coupables speculateurs trouvent encore pour se livrer à la traite.

Le Gouvernement du Roi regrette, Monsieur l'Ambassadeur, de se trouver dans l'impossibilité d'adopter de nouvelles mesures contre ce trafic; il a pris, ses actes le témoignent hautement, toutes celles qui devaient le rendre impracticable à ses propres sujets, mais il n'a ni la mission ni le pouvoir, de l'interdire aux sujets des Puissances étrangères.

J'ai l'honneur, &c.

(Signé) LE PRINCE DE POLIGNAC.

Son Excellence Lord Stuart de Rothesay,
&c. &c. &c.

(Translation.)

MONSIEUR L'AMBASSADEUR,

Paris, June 12, 1830.

YOUR Excellency announced to me, on the 5th ultimo, that you were

charged by your Court, to protest, in behalf of the abolition of piracy and of the slave-trade, against the facilities which vessels, navigating the seas of the Antilles, and the parts of the Western Coast of Africa, obtain for changing their national character.

Your Excellency's letter was accompanied by a report from Admiral Fleeming, containing allegations, tending to impute to His Majesty's Government the continuation of a traffick, which it has to this day openly and effectually persecuted, by measures the most persevering and rigorous.

Your Excellency having abstained from renewing these allegations, I confine myself to the expression to you of my regret, at seeing the Agents of your Government manifest and communicate suspicions, in which is shewn an appreciation, at the least inconsiderate, of the causes which yet keep up the trade in negroes.

The watchfulness which His Majesty's Government has recommended, as well in the Ports of France as in those of her colonies, has rendered the equipment of vessels destined for this odious traffick, in some sort impossible at those places. The most notorious facts bear witness, and Admiral Fleeming himself knows, that the greater part of the vessels fitted out at Martinique and Guadaloupe, ultimately intended for the trade, and nearly all of which are American, are obliged, in order to avoid the prosecutions, to which they would be infallibly exposed in these colonies, to go to St. Thomas, there to obtain permission to equip themselves, and to receive their cargoes there. As to the trading transactions, which take place on the Coast of Africa, the exactitude with which the French station in those parts performs the service confided to it, is proved by the care which the Captains of slave-vessels take, to cover themselves, in its presence, under a foreign national character, by means of papers obtained at the Danish, Spanish, and Swedish Islands. It is, therefore, evident that the Agents of the King are strangers to the facilities, which the criminal speculators yet find for engaging in the trade.

His Majesty's Government regrets, that it finds it impossible to adopt new measures against this traffick; it has taken, as its acts plainly testify, all those which must render it impracticable to its own subjects, but it has neither the right nor the power, to forbid it to those of other nations.

I have, &c.

(Signed) LE PRINCE DE POLIGNAC.

His Excellency Lord Stuart de Rothesay,
&c. &c. &c.

No. 98.

The Earl of Aberdeen to the Duke de Laval Montmorency

Foreign Office, July 6, 1830.

THE Undersigned, &c., had the honour to receive the letter, which was addressed to him on the 4th ultimo, by his Excellency the Duke de Laval Montmorency, &c., on the subject of the slave-vessels "*La Laure*" and "*La Louise*," said to have been detained by one of His Majesty's cruizers, the "*Atholl*," and carried to Sierra Leone, where the Mixed Commission Court declined to proceed upon either of them, but the Collector of the Colony prosecuted one of them, "*La Laure*," under an Act of Parliament, which renders liable to confiscation slave-vessels, detained in waters under the dominion of His Majesty.

The Undersigned has lost no time in directing the necessary enquiries to be made into the cases of these vessels, the result of which he will have the honour to communicate without delay to the Duke de Laval Montmorency.

The Undersigned, &c.

(Signed)

ABERDEEN.

His Excellency the Duke de Laval Montmorency,
&c. &c. &c.

No. 99.

Lord Stuart de Rothesay to the Earl of Aberdeen.—(Received August 5.)

MY LORD,

Paris, August 2, 1830.

HAVING received information, that 2 vessels have been equipped for the especial purpose of trading in slaves from the Coast of Africa, I enclose the copy of a note I addressed the French Minister on that subject, on the 24th of July.

I have, &c.

(Signed) STUART DE ROTHESAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 99.

Lord Stuart de Rothesay to the Prince de Polignac.

SIR,

Paris, July 24, 1830.

I HAVE the honour to transmit to your Excellency, the particulars of the equipment of 2 vessels in the Port of Nantes, for the obvious purpose of trading in slaves.

The repeated manifestation of an anxious wish, on the part of the French Government, to prevent the infractions of the regulations, which tend to check this traffick, encourages me to hope that this statement will give rise to investigation.

(Signed)

STUART DE ROTHESAY.

His Excellency the Prince de Polignac,

&c.

&c.

&c.

Sub-Enclosure in No. 99.

Mr. Consul Newman to His Majesty's Consul-General at Paris.

SIR,

Nantes, July 5, 1830.

ALTHOUGH the Portuguese and Brazilian flags can no longer protect vessels engaged in the slave-trade, there are two now fitting out in this port, and, I have been informed, with the intention of running all risks; they are brigs that have been employed in that traffick, in fact are of that model, which is only used for vessels intended for such trade or for privateers; one of them the "*Alcide*," is ready to sail, but there is not yet a single article on board of her that can justify the suspicion of her being fitted out for the slave-trade. She has lately been purchased by two persons, of the names of Paynes and Thibaud, who intend to go in her, and to carry the slaves to St. Jago de Cuba, but she will appear to be, I imagine, the property of an old retired ship-master, when she clears out.

The second is the "*Pierre*," of 180 tons, commanded by Le Blanc, or Le Blond, and belongs to Messrs. Petit, Pierre, and Co.; she is nearly ready for sea.

D. R. Morier, Esq.

&c. &c. &c.

(Signed)

HENRY NEWMAN.

No. 100.

Lord Stuart de Rothesay to the Earl of Aberdeen.—(Received Sept. 30.)

MY LORD,

Paris, September 27, 1830.

THE presentation of a petition, on behalf of the proprietors of St. Domingo, to the Chamber of Deputies, having enabled the Minister of the Colonial Department, and M. de Lafayette, to make known the intentions of the Government, and their own sentiments, respecting the abolition of the slave-trade, and the extinction of slavery, I have the honour to transmit to your Lordship the accompanying paper, containing their several discourses upon these subjects.

I have, &c.

(Signed)

STUART DE ROTHESAY.

The Right Hon. the Earl of Aberdeen, K. T.

&c.

&c.

&c.

Enclosure in No. 100.

Extract from the Courrier Français of the 26th September, 1830.

UN grand nombre de Colons de Saint-Domingue réclament, 1^o, le versement des trois derniers cinquièmes échus et non versés par le Gouvernement d'Haïti à la caisse des dépôts et consignations ; 2^o, le dernier cinquième de l'indemnité fixée par la Loi du 30 Avril, 1826 ; 3^o, les intérêts, à 3 o/o à chaque paiement successif, des sommes qui seront payées.

M. le rapporteur conclut au renvoi au Ministère de la Marine.

M. LE GENERAL LAFAYETTE : Je me joindrai toujours à ce, qui peut soulager l'infortune des anciens et malheureux Colons de Saint Domingue ; mais après la discussion qui vient d'être portée à cette tribune, la chambre ne trouvera pas sans doute de l'inconvenance, à ce que je passe de la question actuelle, à la situation des colonies qui nous restent. Je regrettai fort à l'époque de l'assemblée constituante, qu'on eut pas persisté dans les résolutions, qui unissaient les hommes de couleur libres aux autres colons, en les déclarant susceptibles des mêmes droits. J'aurais souhaité aussi, qu'on n'eut sévèrement interdit la traite des noirs, et qu'une loi sur l'affranchissement graduel des esclaves eut prévenu les malheurs, occasionnés par un affranchissement imprudent et subit ; et depuis n'avons-nous pas eu à déplorer ce système consulaire et impérial, qui envoya nos meilleures troupes, se perdre dans la funeste expédition de Saint-Domingue, et qui commit le double attentat de rétablir l'esclavage et la traite des noirs à une époque où même aucun Capitaine Français n'était engagé dans cet infâme trafic ? Aujourd'hui, Messieurs, après tant des sacrifices et de malheurs, nous nous trouvons en arrière de quelques autres nations, et pour ne parler que de la traite, les Etats-Unis d'abord, les Anglais ensuite, l'ont assimilée à la piraterie, seul moyen de répression, lorsque les coupables peuvent obtenir des dédommagemens pécuniaires, de ceux qui les ont employés, qui, par exemple, enverraient des bâtimens à Saint-Thomas, pour exploiter ensuite la traite des noirs. C'est pour éviter des longueurs, des propositions spéciales de renvoi dans les bureaux, que je prie M. le Ministre de la Marine, ici présent, dont je connais les bonnes intentions à cet égard, de vouloir bien nous dire positivement, quelle est la détermination du Gouvernement sur la question de la traite des noirs, et sur l'état des hommes de couleur libres dans nos colonies.

M. SEBASTIANI : Je me félicite d'avoir à déclarer à la chambre, que je me suis rencontré avec l'illustre général, qui descend de la tribune, au sujet des vues philanthropiques dont il vient de nous entretenir. Je me propose de présenter à la chambre une loi, qui prononcera les peines de la piraterie contre ceux, qui se livrent à l'infâme trafic des nègres.

Il faut le reconnaître, malgré les précautions du Gouvernement, la traite n'a pas cessé d'exister, quoiqu'elle ait diminué ; une chose honorable pour

cependant vous être dite, c'est, que la France est de toutes les nations qui ont un commerce maritime, celle qui s'est le moins livrée à ce trafic.

A l'égard des hommes libres des colonies, la France reconnaît qu'il ne peut exister d'hommes libres à des conditions différentes ; ainsi la loi annoncée reconnaîtra, que tous les hommes libres, de quelque couleur qu'ils soient, sont égaux devant la loi.

La pétition est renvoyée au Ministre de la Marine.

(Translation)

From the " Courrier François " of September 20, 1830.

A GREAT number of the colonists of St. Domingo demand—1. That the 3 last fifths which are due, and which have not been discharged by the Government of Haïti, may be paid into the fund of the *Dépôts et Consignations*.—2. The last fifth of the indemnity fixed by the law of the 30th April, 1826.—3. The interest of 3 per cent. on every successive payment of the sums that shall be paid.

The Member who brought up the report proposed, that it should be referred to the Office of the Ministry of the Marine.

GENERAL LAFAYETTE : I shall always be friendly to whatever can relieve the misfortune of the ancient and unhappy colonists of St. Domingo ; but after the discussion which has just been opened, the Chamber will doubtless not deem it irrelevant for me, to pass from the question before it, to the situation of the colonies which are still left us. I was very sorry, during the time of the Constituent Assembly, that no further notice should have been taken of the resolutions, which united the freemen of colour to the other colonists, by declaring them susceptible of the same rights. I could also have wished that the slave-trade should not have been prohibited with severity, and that a law on the gradual manumission of slaves might have prevented the misfortunes occasioned by an imprudent and sudden liberation. And have we not had since that time to deplore that consular and imperial system, which sent our best troops to be destroyed in the fatal expedition of St. Domingo, and which committed the two-fold outrage of re-establishing both slavery and the slave-trade at an epoch, when not even a single French Captain was engaged in that infamous traffick ? At this day, gentlemen, after so many sacrifices and calamities, we find ourselves behind some other nations ; and, to speak only of the slave-trade, the United States in the first place, and next the English, have put it on the same footing with piracy, which is the only means of repression, when the guilty can obtain pecuniary indemnities from those who have employed them, who, for instance, would send vessels to St. Thomas's, with the view of carrying on afterwards the slave-trade. In order to avoid delays, and special propositions for reference to various offices, I request the Minister of the Marine, who is now in his place, and whose good intentions in this respect I know, to be pleased to tell us positively what is the intention of Government on the question of the slave-trade, and on the state of the freemen of colour in our colonies.

M. SEBASTIANI : I am happy in being able to declare to the Chamber, that I concur with the illustrious General who is quitting the tribune, on the subject of the philanthropic views on which he has addressed you. It is my intention to lay before the Chamber a law, which will inflict the penalties of piracy on those who carry on the infamous slave-trade.

It must be owned, that, notwithstanding the precautions of Government, the slave-trade has not ceased, though it has abated. There is, however, one honourable circumstance which may be stated to you, that, of all the seafaring nations, France is that which has the least been engaged in it.

In respect of the freemen in the colonies, France is aware, that no freemen can exist on different conditions ; hence the promised law will lay it down, that all freemen, of whatever colour, are equal in the eyes of the law.

The petition is referred to the Minister of the Marine.

No. 101.

Lord Stewart de Rothesay to Viscount Palmerston.—(Received Nov. 29.)

MY LORD,

Paris, November 26, 1830.

I HAVE the honour to enclose an extract from the *Moniteur*, stating the substance of a judgment pronounced by the Colonial Tribunal of Guadeloupe, against Edmé Baury, merchant at Point à Pitre, for carrying on illegal commerce in slaves.

I have, &c.

(Signed)

STUART DE ROTHESAY.

The Right Hon. Viscount Palmerston,
&c. &c. &c.

Enclosure in No. 101.

(Extract.)

"*Moniteur*," November 24, 1830.

PAR arrêt de la Cour d'Assizes de l'Arrondissement de la Basse-Terre (Ile Guadeloupe,) rendu le 21 Juillet, 1830, et par application de la loi du 25 Avril, 1827, relative à la répression de la traite des noirs,

Le Sieur Edme Baury, negociant à la Pointe à Pitre, et armateur de la goelette la "*Pauline*," à été condamné, par contumace, a 10 ans de bannissement, à l'amende de 40,800 francs, et aux frais du procès.

[*Nota*.—Extrait de l'arrêt du 25 Février, 1830, qui a condamné pour le même fait de traite le Capitaine et les matelots de la "*Pauline*," a été inséré au *Moniteur* du 8 Mai suivant.]

(Translation.)

BY decree of the Court of Assize of the Arrondissement of Basse-Terre (Guadeloupe,) delivered July 21, 1830, and in accordance with the law of April 25, 1827, relative to the repression of the slave-trade,

M. Edme Baury, merchant, of Pointe à Pitre, and fitter out of the goelette "*Pauline*," has been condemned, for non-appearance, to 10 years' banishment, to a fine of 40,800 francs, and costs of suit.

[*Note*.—An extract of the Decree of February 25, 1830, which condemned the Captain and sailors of the "*Pauline*," on the same charge of slave-trade, was inserted in the *Moniteur*, of the 8th of May following.]

No. 102.

Lord Stuart de Rothesay to Viscount Palmerston.—(Received Dec. 27.)

MY LORD,

Paris, December 17, 1830.

THE repeated representations I have addressed to the several Members of the French Government, that the promise I have received, to give effect to the regulations for the abolition of the slave-trade, cannot lead to satisfactory results, if they are not made good by a complete change in the French Legislation upon that subject, have long induced me to expect, that they would consent to bring a bill for that purpose into the Chamber.

These expectations have, I am happy to say, been at length realized, and the Minister of the Marine brought forward the proposal I have the honour

to enclose, on Tuesday, in the Chamber of Peers; and, although your Lordship will no doubt find the provisions it contains to be susceptible of improvement, the measure offers the best proof, I have yet seen, of a serious determination, on the part of the Government, to put an end to that traffick.

I have, &c.

(Signed) STUART DE ROTHSAY.

The Right Hon. Viscount Palmerston,
&c. &c. &c.

Enclosure in No. 102.

(Extract.)

Moniteur, December 14, 1830.

M. LE COMTE D'ARGOUT, Ministre de la Marine :

Messieurs,

LE Gouvernement du Roi vient réaliser la promesse, qu'il a faite, de soumettre aux chambres un projet de loi, sur la repression de la traite de nègres.

L'ère nouvelle, qui vient de s'ouvrir pour la France, doit être signalée par des mesures, qui répriment efficacement un commerce odieux, et qui fait la honte de l'humanité.

Toutefois, il serait injuste de ne pas reconnaître, que depuis quelques années, ce trafic abominable semble avoir perdu quelque chose de son activité.

En effet, les progrès de la civilisation, sensibles jusque dans les colonies; la réprobation publique qui flétrit aujourd'hui, en France, les armateurs et les capitalistes, instigateurs de ce commerce; la vigilance de nos croisières; les condamnations prononcées par les tribunaux; et enfin, les intérêts des planteurs eux-mêmes, dont les ateliers ont été décimés, par d'affreuses maladies, que la traite avait importées: toutes ces circonstances, disons-nous, ont concouru à restreindre la traite, mais elles ne l'ont point anéantie, et l'heure est venue où elle doit totalement disparaître.

L'insuffisance des peines portées par la loi du 25 Avril 1827, les lacunes que présentent ses dispositions, expliquent pourquoi la répression a été jusqu'à présent inefficace. Nous avons pensé que nous atteindrions un meilleur résultat, en établissant un système de mesures préventives, et de pénalités, embrassant à la fois tous les faits relatifs à la traite, et qui s'accomplissent, soit avant le départ bâtimens destinés à ce commerce, soit pendant leur trajet en mer, soit enfin dans l'intérieur des colonies, après le débarquement des esclaves.

Poursuivi dans tous ses périodes, soumis à divers contrôles pour la répression, puni par des peines redoutables et infamantes, ce crime, désormais, ne pourra plus espérer l'impunité.

D'après ce système de répression, des pénalités diverses doivent être appliquées :

- 1°. Aux actes qui constituent la préparation à la traite, avant la mise en mer des mêmes navires négriers;
- 2°. Aux actes qui constituent la tentative de la traite après la mise en mer de navires;
- 3°. A l'accomplissement du crime de la traite;
- 4°. Aux actes relatifs à l'achat, dans les colonies, des esclaves provenant de la traite.

La loi nouvelle doit pareillement déterminer, devant quels tribunaux la répression de ces crimes et de ces délits sera poursuivie; et finalement, elle à régler le sort des esclaves délivrés de la traite. L'examen des dispositions de la loi doit suivre naturellement ce même ordre.

1^o. *Des délits relatifs à la préparation de la traite.*

upréparatifs de la traite, le Gouvernement n'a eu, jusqu'aujourd'hui, aucun moyen légal de répression. A la vérité, quelques instructions ministérielles ont, de loin en loin, prescrit aux agens de la marine de vérifier l'état des bâtimens, partant pour des destinations suspectes, et de retenir dans le port ceux, qui présenteraient des agencemens révélans une destination coupable. Mais cette mesure, quoique provoquée par de louables intentions, était, il faut l'avouer, arbitraire, et l'arbitraire ne doit plus prendre place dans les actes de l'administration. Le projet de loi autorise, consacre, cette précaution; il en fait un devoir aux agens du Gouvernement; il fait plus encore; il qualifie ces préparatifs de *tentative de traite*, et leur attache une pénalité, la réclusion contre l'armateur, et la confiscation du bâtiment. La prévoyance du projet va même jusqu'à prohiber, et à punir en France la fabrication des ferremens particuliers, destinés à enchaîner des esclaves.

2^o. *De la tentative de la traite après la mise en mer.*

Mais ce n'est pas toujours dans les ports de France, ni dans ceux de nos colonies, que les navires destinés à la traite reçoivent l'agencement intérieur, et se procurent les instrumens nécessaires à ce commerce. C'est quelquefois aux îles du Cap-Vert, que s'approvisionnent les bâtimens négriers, partis des ports de France. Les navires expédiés des colonies trouvent, dit-on, des facilités analogues dans les îles de St. Thomas, et de St. Barthélemy. Si la surveillance se bornait à nos ports, elle serait insuffisante.

Le remède se trouvera dans la surveillance, que nos croisières exerceront sur les bâtimens Français, et dans les pénalités très-sévères, que la loi prononce contre la tentative de traite, alors même qu'elle n'aurait été suivie d'aucun effet, et que l'arrestation aurait précédé l'arrivée aux côtes d'Afrique.

Le bâtiment sera confisqué; une amende considérable sera prononcée, et l'armateur sera puni comme si la traite avait eu lieu réellement.

En effet, si quelques criminalistes ont trouvé trop rigoureuse cette règle du code pénal, qui punit la tentative comme le crime lui-même, certes, il n'y aurait eu ni justice ni utilité à s'écarter de ce principe, à l'égard de l'armateur, qui, du moment où il a expédié le navire négrier, a accompli, autant qu'il dépendait de lui, le fait qui constitue le crime de la traite.

3^o. *Pénalités appliquées aux peines de la traite.*

La loi du 25 Avril, 1827, n'appliquait que le bannissement à l'armateur, aux capitalistes, au capitaine, au subrécargue et aux autres officiers de l'équipage; l'équipage lui-même n'était puni que d'un emprisonnement, de 3 mois à 5 ans, enfin, le navire était confisqué, et une amende, égale à la valeur de ce même navire, était prononcée aux dépens des propriétaires.

Toutefois, la loi de 1827 exemptait de pénalité, ceux des membres de l'équipage, qui, dans les quinze jours de l'arrivée du navire, avaient déclaré volontairement, aux administrateurs ou aux magistrats, les faits relatifs à ce trafic, dont ils pouvaient avoir eu connaissance.

La loi nouvelle maintient cette exemption de peines, qui tourne au profit d'une plus sûre répression; mais en même tems, elle punit l'armateur, les capitalistes, le capitaine, le subrécargue, et l'équipage de la peine des travaux forcés à tems. Cette peine, en frappant d'effrayante les hommes qui, jusqu'aujourd'hui, ont bravé l'animadversion publique, dispensera, il faut l'espérer, d'en faire l'application.

4^o. *De l'achat et du recélé des esclaves de traite.*

Puisque la traite a été rangée parmi les crimes, puisque l'enlèvement des nègres est maintenant réputé un véritable vol, celui qui achète un nègre de traite se rend, en quelque sorte, complice de ce crime, et devient coupable de recélé.

Or, d'après un usage, qui a acquis force de loi aux colonies, tout esclave de traite qui, en débarquant sur le sol, franchit cent toises du littoral de la mer,

ne peut être considéré comme nègre de traite, et il devient insaisissable; le planteur qui, l'a acheté, ne peut être actionné en justice et n'est passible d'aucune peine.

Cependant, c'est en poursuivant la traite dans l'intérieur même des colonies; c'est en rendant périlleuse la possession d'un esclave de traite, que l'on parviendra à réprimer complètement ce commerce; car, des qu'il cessera d'y avoir des acheteurs, il ne se trouvera plus d'armateurs.

Le projet de loi a donc rétabli, dans la classe des délits l'achat et le recel des esclaves, provenant d'introduction frauduleuse; mais il punit ces actes de la peine beaucoup plus douce, d'un an à cinq ans d'emprisonnement.

Cette peine, comme il est juste, n'aura pas d'effet rétroactif. Elle ne sera applicable qu'aux introductions postérieures à la promulgation de la loi. Quant au mode d'après lequel les recherches devront être opérées, on comprendra qu'il est nécessaire d'user, sur ce point, de ménagemens, afin qu'elles ne dégénèrent pas en inquisition. Provisoirement, le projet de loi s'en remet à cet égard à la prudence de l'administration, et des magistrats. Au surplus, la législation coloniale, que l'on prépare actuellement, en créant un état civil pour les esclaves, et en établissant l'obligation des recensemens, fournira des moyens de contrôle, qui seront à la fois et efficaces, et exempts de vexation.

5°. *De la poursuite de la traite.*

Lorsque les navires négriers seront conduits dans les ports Français, les prévenus seront jugés par la cour d'assises: rien de plus simple. Mais lorsque le bâtiment capturé sera conduit dans les colonies, comment et par qui les prévenus seront-ils jugés?

L'Ordonnance du 30 Septembre 1827, concernant l'organisation de l'ordre judiciaire et l'administration de la justice à l'Ile de Bourbon (ordonnance qui a été successivement appliquée aux autres colonies), a créé des cours d'assises composées de trois conseillers des cours royales, et de quatre membres du collège des assesseurs (art. 58). Ces assesseurs, tirés au sort pour le service de chaque assise, sont choisis parmi les habitans et les négocians, éligibles au conseil-général, les fonctionnaires publics, et les employés du Gouvernement, les juges de paix en retraite, les licenciés en droit, les professeurs de sciences et belles-lettres, les médecins, les notaires et les avoués retirés, (art. 164 et 166). Les membres de la cour royale, et les assesseurs prononcent en commun sur la position des questions, sur toutes les questions posées, et sur l'application de la peine.

Cette combinaison judiciaire, peut être appropriée à la situation particulière des colonies, et nous n'entendons, ni l'approuver, ni la blâmer, jusqu'à ce qu'une plus longue expérience, ou un plus mûr examen en ait fait reconnaître les avantages, ou les inconvéniens. Mais, et relativement à la poursuite les délits de la traite, ne serait-il pas à craindre que, si le sort désignait exclusivement des colons pour assesseurs, une cour ainsi composée ne se trouvât dans une situation embarrassante, qui rendrait incertaine la sévérité de la répression.

C'est pourquoi le projet de loi propose, de substituer aux assesseurs ordinaires, quatre fonctionnaires publics tirés au sort sur la liste des vingt fonctionnaires de l'ordre le plus élevé. Il n'est pas à craindre que ces adjonctions spéciales entraînent la cour d'assises à s'écarter des règles de l'impartialité; car, si la tendance naturelle des fonctionnaires publics les porte à une répression, quelquefois rigide, de tous les délits, d'une autre part, l'influence des mœurs et les habitudes coloniales protégeront assez les prévenus, pour avoir la certitude, qu'une justice exacte sera rendue par la cour.

6°. *Des esclaves provenant de la traite.*

Mais que faire des noirs provenant de la traite, et qui auront été délivrés d'esclavage? Cette question, souvent agitée, n'a pas encore reçu de solution parfaitement satisfaisante. Faut-il reconduire ces noirs en Afrique? Mais qu'y deviendraient-ils? Jetés sur la côte, peut-être seraient-ils exposés à mourir de faim? Ou bien ne seraient-ils pas arrêtés de nouveau et revendus à d'autres traficans d'esclaves? Voudrait on les reconduire dans l'intérieur des

terres, jusqu'aux peuplades dont ils faisaient auparavant partie? La chose serait impraticable. En les amenant en France, on les condamnerait à une mort presque certaine; car tout nègre transporté directement d'Afrique en Europe, sans avoir été acclimaté aux colonies, résiste difficilement au premier hiver. Devrait-on enfin les confisquer au profit de l'Etat, comme cela s'est fait jusqu'aujourd'hui? Ce serait en réalité perpétuer l'esclavage, et rendre le Gouvernement complice d'un crime qu'il veut anéantir.

Il a semblé que les nègres de traite devaient être déclarés libres, immédiatement après leur délivrance; mais comme cette liberté ne leur procurerait aucun moyen d'existence, le projet de loi propose de les attacher, pendant dix ans, aux établissemens agricoles ou industriels qui appartiennent à l'Etat, soumis, pendant cette période d'années, à un régime particulier, ils apprendront une industrie, et le prix de leur travail, converti en une pécule dont on opérera la réserve, leur serait remis, à l'expiration de ce terme, et servirait à leur former un établissement.

Mais le Gouvernement possède un assez grand nombre de nègres qui proviennent, en majeure partie, de la même origine; il paraîtrait juste de leur accorder les mêmes avantages.

Enfin, la loi propose d'affecter aux frais d'entretien de ces noirs, et à leur amélioration morale, le produit des confiscations, et des amendes prononcées contre les délinquant en matière de traite. Ces produits ne sauraient recevoir une destination plus humaine et plus utile.

Il n'y aurait pas là création d'une spécialité, ni infraction aux règles générales de la centralisation des recettes publiques, mais analogie à ce qui se pratique en France, où certaines amendes sont affectées, soit aux hospices, soit à des établissemens charitables.

Telles sont, Messieurs, les diverses combinaisons du projet de loi. Nous souhaitons qu'elles obtiennent votre approbation. Le Gouvernement accueillera avec empressement toutes les améliorations dont il paraîtrait susceptible; car son desir, ainsi que le vôtre, est de parvenir, par les mesures les plus sages et les plus efficaces, à la répression complète d'un trafic que nous abhorrons également.

Projet de Loi.

LOUIS PHILIPPE, Roi des Français,

Nous avons ordonné et ordonnons, que le projet de loi, dont la teneur suit, sera présenté à la chambre des Pairs, par notre Ministre Secrétaire-d'Etat au Département de la Marine et des Colonies, que nous chargeons d'en développer les motifs, et d'en soutenir la discussion.

Art. 1^{er}. Quiconque aura armé ou fait armer un bâtiment, dans le but de se livrer au trafic, connu sous le nom de " traite des noirs," sera puni d'un emprisonnement de deux à cinq ans, si le bâtiment est saisi dans le port d'armement, avant le départ.

La preuve de la destination résultera, soit des dispositions faites à bord, soit de la nature du chargement.

2. Les bailleurs de fonds, assureurs, capitaine et subrécargue du dit navire, seront punis de la même peine.

3. Si le bâtiment est saisi en mer, avant qu'aucun fait de traite ait été effectué, les armateurs seront punis de dix à vingt ans de travaux forcés.

Les bailleurs de fonds et assureurs seront punis de la réclusion.

Le capitaine, et le subrécargue, seront punis de cinq ans à dix ans de travaux forcés.

Les officiers, et les hommes de l'équipage, seront punis de la réclusion.

4. Si le crime de la traite a été commis, le capitaine, et le subrécargue du bâtiment, seront punis de 10 à 20 ans de travaux forcés.

Les officiers, les hommes de l'équipage, et tous autres individus qui auront sciemment participé, aidé, ou assisté au trafic, seront punis de 5 à 10 ans de travaux forcés; le tout sans préjudice des peines portées contre les armateurs, bailleurs de fonds, et assureurs, par l'article précédent.

5. Dans tous les cas ci-dessus, le bâtiment et la cargaison seront saisis et confisqués, et les coupables condamnés solidairement à une amende, qui ne pourra excéder le double de la valeur du bâtiment et de la cargaison, ni être moindre de la dite valeur.

6. Ne seront passibles d'aucune peine les hommes de l'équipage, autres que les commandans, officiers ou subrécargues, qui, avant toute poursuite connue d'eux, et au plus tard dans les quinze jours de leur débarquement, auront déclaré aux agens de l'autorité, soit dans les ports de France ou des colonies, soit dans les pays étrangers, les faits relatifs à la traite dont ils auraient eu connaissance.

7. Les crimes et délits, non prévus par la présente loi, qui auraient été commis à bord des navires employés à la traite, seront punis conformément au code pénal.

8. Sont interdits, la fabrication, la vente, et l'achat des fers spécialement employés à la traite des noirs.

Quiconque posséderait des fers de cette nature, sera tenu d'en faire la déclaration dans le délai de quinze jours, et de les dénaturer dans le délai de trois mois, à dater de la promulgation de la présente loi, sous peine de six mois d'emprisonnement.

A dater de la même époque, quiconque fabriquera, achètera ou vendra des fers de traite, sera puni d'un emprisonnement d'un an à deux ans.

9. Sont interdits le recel, la vente, et l'achat des noirs de traite.

Sera réputé noir de traite, tout noir transporté d'Afrique, et introduit dans la colonie, depuis moins de deux ans, à dater de la promulgation de la présente loi.

A dater de la même époque, quiconque recèlera sciemment un ou plusieurs noirs de traite, sera puni d'un emprisonnement de six mois à deux ans; quiconque achètera, ou vendra, sciemment un ou plusieurs noirs de traite, sera puni d'un emprisonnement d'un an à cinq ans.

10. Les noirs de traite, qui seront saisis, soit à bord des bâtimens négriers, soit dans les colonies, seront sur-le-champ déclarés libres. Acte authentique de leur libération sera dressé, et inscrit sur un registre spécial, déposé au greffe de la cour royale.

Les noirs ainsi libérés, seront soumis toutefois à un engagement de dix ans envers le Gouvernement, et employés, pendant cet espace de tems, dans les ateliers publics.

11. Les dispositions de l'article précédent seront appliquées aux noirs de traite, provenant de saisies, et existant actuellement dans nos colonies; l'engagement de dix ans courra pour ceux-ci du jour de la promulgation de présente loi.

12. La connaissance des crimes ou délits prévus par la présente loi, sera attribuée au jury, lorsque le jugement aura lieu sur le territoire Européen du royaume.

13. Lorsque le bâtiment aura été saisi, ou conduit dans un des ports des colonies Françaises, ou lorsque le crime ou délit aura été commis dans ces colonies, la connaissance en sera déférée à la cour d'assises, composée conformément aux ordonnances royales du 30 Septembre 1827, 24 Septembre 1828 et 21 Décembre 1828.

Les quatre assureurs seront tirés au sort par le Gouverneur, en séance publique, parmi les douze fonctionnaires les plus élevés en grade de la colonie.

La liste de ces fonctionnaires sera, à cet effet, arrêtée, par le Gouverneur, et publiée au commencement de chaque année.

Au Sénégal, les crimes et délits, en matière de traite des noirs, continueront d'être déférés au conseil d'appel de la colonie.

14. Lorsque le Gouverneur de la colonie jugera convenable, pour des causes graves, de réclamer un règlement de juges, il chargera le Procureur-Général de se pourvoir, à cet effet, devant la cour de cassation, et suspendra la poursuite.

15. Les fonds provenans de la confiscation des bâtimens et cargaisons, seront affectés, ainsi que le produit des amendes, à l'amélioration du sort des noirs libérés, et versés dans la caisse coloniale, d'après les règles générales prescrites à cet égard (sauf les droits qui seront attribués aux capteurs, conformément aux lois et réglemens sur les prises maritimes.)

16. Les arrêts et jugemens de condamnation, en matière de traite des noirs, seront insérés dans la partie officielle du *Moniteur*, et dans le *Bulletin officiel de la colonie*, par extraits contenant les noms des individus condamnés, ceux des navires et des ports d'expédition. Cette insertion sera ordonnée par les cours et tribunaux, indépendamment des publications prescrites par l'art. 36 du code pénal.

17. La loi du 25 Avril 1827, est abrogée. (Signé) LOUIS PHILIPPE.
Par le Roi.

Le Ministre Secrétaire-d'Etat au Département de la Marine,
(Signé) C. D'ARGOUT.

(La chambre donne acte au Ministre du Roi de la remise du projet de loi, ainsi que de l'exposé des motifs, et en ordonne l'impression et la distribution.)
La séance est levée à quatre heures.

(Translation.)

COUNT D'ARGOUT, Minister of the Marine :

Gentlemen,

THE King's Government has fulfilled the promise which it had made, of submitting to the Chambers the project of a law on the repression of the slave-trade.

The new era, which has lately commenced for France, ought to be signa-
lized by measures for efficaciously repressing an odious traffick, which reflects
disgrace upon mankind.

Still, however, it would be unjust not to acknowledge, that, for some years
past, this abominable trade has somewhat abated.

In fact, the progress of civilization which is perceptible even in the
colonies; the publick reprobation which now throws a stigma, in France, on
those ship-owners and capitalists who encourage this traffick; the vigilance
of our cruizing stations; the sentences of condemnation pronounced by the
courts of law; and, finally, the interests of the planters themselves, whose
establishments have been thinned by horrible diseases, imported through the
medium of the slave-trade; all these circumstances have, in our opinion, con-
spired towards checking this traffick, though they have not extinguished it,
and the time is now arrived for extirpating it entirely.

The insufficiency of the penalties denounced by the law, enacted the 25th
of April 1827, and the omissions apparent in its provisions, account for the
repression having hitherto been without effect. We have considered that we
should be more successful by laying down a system of preventive measures,
and of penalties, comprehending at once all the particulars relating to the
slave-trade, and coming into operation, partly previously to the departure of
the vessels intended for this commerce, partly during their voyage, and ulti-
mately in the interior of the colonies, after the landing of the slaves.

This crime, when watched in every stage, curbed by a variety of restraints
tending to its repression, and visited with formidable and degrading punish-
ments, will henceforth no longer be able to hope for impunity.

According to this system of repression, different penalties are to be annexed.

1. To facts constituting preparations for the slave-trade, before the slave
vessels put to sea.
2. To facts evincing an attempt at the slave-trade, after these vessels have
sailed.
3. To the perpetration of the crime of trafficking in slaves.
4. To acts relative to the purchase, in the colonies, of slaves procured by
means of this traffick.

The law shall likewise determine in which tribunals the repression of
these crimes, and these delinquencies shall be prosecuted; and, finally, it is

to regulate the lot of such slaves as have been rescued from the trade. The discussion of the provisions of the law must, of course, follow the same order.

1.—*Of offences relative to a preparation for the slave-trade.*

With regard to the steps preparatory to this trade, Government has hitherto had no legal means of repression. Some instructions, issued by Ministers, have, it is true, at great intervals, directed the agents for the navy to examine into the situation of vessels sailing to suspicious latitudes, and to stop in port those which should present arrangements revealing a culpable destination. But this measure, though arising from laudable intentions, was, it must be owned, arbitrary, and whatever is arbitrary ought not to be allowed any place in the acts of the administration. The law-project authorises and establishes this precaution; and enjoins it to the agents of the Government as a duty; it goes even farther, by designating these preparations as *attempts at the slave-trade*, and attaches a penalty to them, namely confinement, against the owner, and confiscation of the vessel. The foresight of the project goes even to the prohibiting and punishing, in France, of the fabrication of particular irons designed for putting the slaves in chains.

2.—*Of the attempt at the slave-trade after putting to sea.*

But it is not always in the ports of France, or in those of our colonies, that the ships, intended for the slave-trade, receive the interior accommodations, and procure the implements necessary for this traffick. Negro-vessels sailing from French ports sometimes take in their provisions at the Cape Verde Islands. Ships clearing out from the colonies meet, it is said, with similar facilities at the Islands of St. Thomas and St. Bartholomew. If watchfulness confined itself to our ports, it would be insufficient.

The remedy will be found in the vigilance to be exercised by our cruising stations on French vessels, and in the very severe penalties denounced by the law against an attempt at the slave-trade, even if it should not be attended with any effect, and if the detention should have preceded the arrival on the African Coasts.

The ship shall be confiscated, a considerable fine shall be exacted, and the owner shall be punished as if the traffick had actually taken place.

In fact, if some criminalists have found too much rigour in that rule of the penal code, which punishes the attempt as the crime itself, it would, assuredly, not have been either just or useful to depart from this principle with regard to the owner, who, from the moment that he has dispatched the slave-vessel, has been guilty, as much as in him lay, of the fact which constitutes the crime of trading in slaves.

3.—*Penalties incurred by the slave-trade.*

The law of the 25th April, 1827, only sentenced to banishment the owner, the capitalists, the captain, the supercargo, and the other officers of the crew; the crew was punished only with imprisonment, for from 3 months to 5 years; and, finally, the ship was confiscated, and a fine equal to the value of the ship was levied on the owners.

The law of 1827, however, exempted from penalty those individuals of the crew who, within a fortnight after the ship's arrival, should have voluntarily declared to the administrators or magistrates, such facts relative to this traffick, as might have come to their knowledge.

The new law confirms this exemption from punishment, as the repression is thereby rendered more sure; but, at the same time, it punishes the owner, the capitalists, the captain, the supercargo, and the crew, with hard labour for a certain period. This punishment strikes such terror into those who hitherto have braved the publick animadversions, that there is reason to hope, it will never require to be put in practice.

4.—*Of buying and concealing slaves for the trade.*

Since the slave-trade is classed among crimes, and since the abduction of

negroes is now considered as a real theft, he who purchases a negro for the trade, renders himself in some manner an accomplice in this crime, and becomes guilty of concealment.

But, as by a custom, which in the colonies has acquired the force of law, every slave obtained in the way of trade, who, after setting foot on shore, proceeds 100 fathoms from thence, cannot any more be considered as a negro obtained in the way of trade, and cannot be seized, so neither can the planter that has purchased him be prosecuted, or be liable to any punishment.

Yet we must pursue the slave-trader into the very heart of the colonies ; we must make it dangerous for any one to have in his possession a slave procured from a trader, if we would succeed in repressing this traffick completely ; for the instant there shall be no more purchasers in the colonies, there will be no longer any person willing to fit out ships for the slave-trade.

The project of the law has, therefore, again rendered it criminal to buy and conceal fraudulently imported slaves ; but it attaches to these acts a much more lenient punishment, that is, from 1 to 5 years' imprisonment.

This punishment will, as is but just, have no retrospective effect. It will be applicable only to importations made after the promulgation of the law. As to the manner of conducting the search, it is obviously necessary to employ caution and address, to prevent its degenerating into inquisition. The project of the law relies, in this respect, provisionally, on the prudence of the administration, and of the magistrates. Besides, as the colonial legislation now preparing will place the slaves under the publick authority, and require lists of them to be given in from time to time, this will furnish means of controul, at once efficacious and unattended with vexation.

5.—*Of prosecutions on account of the slave-trade.*

When slave-vessels shall have been brought into French ports, those persons, who are accused, shall be tried by the Court of Assize ; nothing can be more simple. But when the captured vessel shall have been conducted into the colonies, how, and by whom shall cognizance be taken of the accused ?

The Ordinance of the 30th September, 1827, concerning the organization of the order of judicial proceedings and of the administration of justice in the Isle of Bourbon (an Ordinance successively applied to the other colonies,) has established Courts of Assize composed of 3 Councillors of the Courts Royal, and of 4 Members of the College of Assessors, (Art. 58.) These Assessors, drawn by lot for the service of each Assize, are chosen from among the inhabitants and the merchants eligible to the Council-General, the Publick Functionaries and those employed under Government, the retired Justices of the Peace, the Licenciates of Law, the Professors of Sciences and Polite Literature, the Physicians, the Notaries Publick, and the retired Attornies (Art. 164 and 166.) The members of the Court Royal deliver their opinions in common on the position of the questions, on all doubtful cases, and on the application of the punishment.

This judiciary combination may be applied to the particular situation of the colonies, and we do not mean either to approve of, or blame it, until a longer experience, or a more mature examination shall have discovered its advantages or inconveniences. But, in regard to the proceedings instituted for offences arising out of the slave-trade, would there not be ground for apprehension, that, if the lot appointed exclusively colonists as Assessors, a court so composed might be reduced to an embarrassing situation, which would render the severity of repression uncertain ?

On this account, the law-project proposes to substitute in the place of the ordinary Assessors, 4 Publick Functionaries, drawn by lot from a list of 20 Functionaries of the highest class. No fear need be entertained, that these special associations may tempt the Court of Assize to deviate from the rules of impartiality, for if the natural tendency of Publick Functionaries leads them to a some times rigorous repression of all offences, on the other hand, the influence of colonial manners and habits will sufficiently protect the persons accused, to satisfy them that exact justice will be done them by the court.

6.—Of slaves acquired by means of the slave-trade

But what is to be done with the blacks procured in the way of trade, and who shall have been released from slavery? This question, so frequently agitated, has not yet been sufficiently cleared up. Are these negroes to be taken back to Africa? If so, what would become of them there? Thrown on the coast, might they not perhaps be liable to die of hunger? Or, might they not perchance be seized again and re-sold to other slave-dealers? Can it be wished, that they should be re-conducted into the interior, and among the very tribes of whom they formerly constituted a part? The thing would be impracticable. Were they carried to France, they would be condemned to an almost certain death; for every negro transferred from Africa into Europe direct, without having been seasoned in the colonies, can scarcely stand the first winter. Finally, should they be confiscated for the profit of the state, as has hitherto been done? This would, in fact, be perpetuating slavery and rendering the Government an accomplice in the crime, which it is desirous of annihilating.

It has been held, that the blacks obtained by trade should be declared free immediately on their being released. But as this freedom would not procure them any means of subsistence, the law-project proposes to send them, for 10 years, either to agricultural or manufacturing establishments belonging to the state. If subjected, during this period, to a particular regimen, they would learn some branch of industry, and their earnings accumulating to a property which will be kept safe, would, at the expiration of this term, be restored to them and serve to form them an establishment.

But the Government possesses already a considerable number of blacks, derived mostly from the same origin, to whom, in justice, the same advantages should be granted.

Finally, the law proposes to defray the support of the blacks and their moral improvement, by appropriating to it the proceeds of the confiscation, and mulcts awarded against those who shall transgress in respect of the slave-trade. These proceeds cannot be applied more humanely and more usefully.

This would not be considered as tending to establish an exception or to infringe the general rules laid down for the centralization of public receipts, but would be analogous to the practice of France, where certain fines are applied either to hospitals or charitable institutions.

Such, gentlemen, are the various combinations of the law-project. We wish they may meet with your approbation. The Government will most cheerfully receive the suggestion of any improvement of which it may seem susceptible; for, it desires, in common with you, to attain, by the most wise and most efficacious measures, the complete repression of a trade, which we abhor all alike.

Law-Project.

LOUIS-PHILIPPE, King of the French.

We have ordained, and do ordain, that the project of the law, set forth hereinafter, shall be presented to the Chamber of Peers by our Minister Secretary of State for the Department of the Marine and of the Colonies, whom we direct to explain its motives, and conduct its discussion.

Art. 1.—Whoever shall have fitted out, or cause to be fitted out, a vessel, with the view of engaging in the traffick, known by the name of the slave-trade, shall be punished with imprisonment for from 2 to 5 years, if the vessel be seized in the port where it has been fitted out, previous to putting to sea.

The proof of its destination will depend, either on the fittings up on board, or on the description of the cargo.

2. The lenders, the insurers, the captain, and the supercargo of the said ship, shall be liable to the same punishment.

3. If the vessel be seized at sea, before any fact demonstrative of the slave-trade has taken place, the owners shall be punished with from 10 to 20 years' hard labour.

The lenders and insurers shall be punished with imprisonment.

The captain, and supercargo shall be punished with from 5 to 10 years' hard labour.

The officers, and the crew shall be punished with imprisonment.

4. If the crime of the slave-trade has been committed, the captain and the supercargo of the vessel shall be punished with from 10 to 20 years' hard labour.

The officers, the crew, and all the other individuals who shall have knowingly been parties to, aided in, or attended at, the slave-trade, shall be punished with from 5 to 10 years' hard labour; and that without prejudice to the punishments inflicted by the preceding article on the owners, lenders, and insurers.

5. In all the above cases, the vessel and the cargo shall be seized and confiscated, and all the guilty parties shall, without exception, be sentenced to a fine not exceeding double the value of the vessel and cargo, nor less than the said value.

6. No other individuals of the crew than the commanders, officers, or supercargoes, shall be liable to punishment, who, prior to any known prosecution of them, and at farthest within a fortnight after their landing, shall have declared to the agents constituted by authority, either in the Ports of France, of the colonies, or of foreign countries, such facts relative to the slave-trade as may have come to their knowledge.

7. Any crimes and misdemeanours not embraced, by the present law, which may have been committed on board the vessels employed in the slave-trade, shall be punished according to the penal code.

8. The fabrication, sale, and purchase of the irons exclusively used in the slave-trade are prohibited.

Whoever shall possess the like irons, shall be bound to declare it within a fortnight, and to dispose of them within 3 months, to reckon from the promulgation of the present law, under pain of 6 months' imprisonment.

Whoever, dating from the same epoch, shall fabricate, buy, or sell irons appropriate to the slave-trade, shall be punished with imprisonment for 1 or 2 years.

9. The concealment, the sale, and the purchase of blacks obtained in the way of trade, are prohibited.

Every negro shall be considered as a black obtained in the way of trade, who shall have been brought from Africa, and imported into the colony, within less than 2 years, dating from the promulgation of the present law.

To date from the same epoch, whoever shall knowingly conceal 1 or more blacks, obtained through the medium of the slave-trade, shall be punished with imprisonment for from 6 months to 2 years; and whoever shall deliberately buy or sell 1 or several negroes procured by the traffick, shall be punished with imprisonment for from 1 to 5 years.

10. Blacks procured by trading, when seized either on board the slave-vessels, or in the colonies, shall be forthwith declared free. An authentick act of their liberation shall be drawn up, and entered into a special register lodged at the office of the Royal Court.

The blacks thus set free shall, nevertheless, be subject to a 10 years' engagement with Government, and be employed, for that space of time, in the publick workshops.

11. The provisions of the preceding article shall be applied to such blacks, procured by trading, as shall have been seized, and shall actually exist in our colonies; and the 10 years' engagement shall be reckoned for them, from the day of promulgation of the present law.

12. The cognizance of the crimes or misdemeanours embraced by the present law, shall be committed to a jury, whenever the judgment takes place in the European territory of the kingdom.

13. When the vessel shall have been seized or conducted into one of the ports of the French colonies, or when the crime or misdemeanour shall have been committed in these colonies, then the cognizance of them shall be transferred to the Court of Assize, composed as is directed by the Royal Ordi-

nances of the 30th September, 1827, the 24th September, 1828, and the 21st December, 1828.

The 4 insurers shall be drawn by lot by the Governor, in publick assembly, from among the 12 functionaries who are the highest in rank in the colony.

The list of these functionaries shall, for this purpose, be decreed by the Governor, and published at the beginning of each year.

In Senegal, the crimes and misdemeanours arising out of the slave-trade, shall continue to be brought before the Council of Appeal of the Colony.

14. When the Governor of the Colony shall deem it proper, for important reasons, to demand the choice of special Judges, he shall direct the Attorney-General to make application, for this purpose, to the Court of *Cassation*, and shall suspend the prosecution.

15. The sums of money, obtained from the confiscation of vessels and cargoes, shall be applied, as well as the proceeds of fines, to the bettering of the situation of the liberated blacks, and shall be lodged in the chest of the colony, agreeably to the general rules prescribed in this respect (without trenching on the rights of captors laid down by the laws and regulations respecting maritime prizes).

16. The decrees and judgments of condemnation, relative to the slave-trade, shall be inserted in the official part of the "*Moniteur*," and in the *Official Bulletin of the Colony*, in the way of extracts containing the names of the condemned individuals and those of the ships and of the ports whence they sailed. This insertion shall be ordered by the Courts and Tribunals, independently of the publications prescribed by Art. 36 of the Penal Code.

17. The Law of the 25th April, 1827, is repealed.

(Signed) LOUIS PHILIPPE.

(By order of the King.)

The Minister Secretary of State for the Department of the Marine,

(Signed) COUNT D'ARGOUT.

DENMARK.

No. 103.

The Earl of Aberdeen to H. W. W. Wynn, Esq.

SIR,

Foreign Office, April 23, 1830.

I HEREWITH transmit to you the copy of a communication* which has been received at this Office from the Admiralty, upon the subject of a practice, said to exist in the Foreign West India Islands, of giving with too much facility, the national character to vessels, which are subsequently employed in illegal slave-trade, the penalties of which they escape, through the facilities thus afforded.

The proceedings of the Mixed Commission Court at Sierra Leone, furnish numerous instances, in corroboration of the statement made by Vice-Admiral Fleeming, as to the prevalence, in many of the Foreign West India Islands, of the practice which forms the subject of his report to the Admiralty; and as to the undue facilities, which are thereby afforded to the carrying on of an illegal traffick in slaves.

You will represent these circumstances to the Government of His Danish Majesty, by whom, His Majesty's Government feels confident, such measures will hereupon be adopted as may be necessary effectually to prevent a system of abuse, which throws the greatest difficulties in the way of His Majesty's efforts for the suppression of illicit slave-trade, and tends to frustrate the humane objects of the Convention of the 14th of January, 1814, between His Majesty and the King of Denmark.

I am &c.

(Signed) ABERDEEN,

The Hon. H. W. W. Wynn,
 &c. &c. &c.

* See Enclosure in No. 4.

No. 104.

H. W. W. Wynn, Esq. to the Earl of Aberdeen.—(Received June 3.)

MY LORD,

Copenhagen, May 25, 1830.

IN consequence of Count Schimmelmann's illness, I had not, until a few days ago, an opportunity of conversing with him on the subject of your Lordship's despatch, marked "Slave-trade," of April 23, relating to the facility, which vessels employed in that commerce have of changing their national flag, in some of the foreign West India Islands.

I have now the honour of enclosing a copy of the written complaint, which I delivered to the Danish Minister on the occasion.

It does not appear from the report made to Vice-Admiral Fleeming, that there is any actual proof of the Danish flag having been improperly assumed; but if it has happened, Count Schimmelmann assured me, that the most positive orders would be sent to the Governors of the Danish West India Islands, to prevent the recurrence of any practice which tends to impede the laudable efforts of His Majesty's naval force in that quarter, to repress the illegal traffick in slaves.

I have, &c.

(Signed)

H. W. W. WYNN.

The Right Hon. the Earl of Aberdeen, K. T.
 &c. &c. &c.

Enclosure in No. 104.

*H. W. W. Wynn, Esq. to Count Schimmelmänn.*MONSIEUR LE COMTE, *Copenhagen, ce 13 Mai, 1830.*

D'APRES des rapports faits à l'Amirauté par l'Amiral Fleenning, Commandant de nos Forces Maritimes aux Iles, confirmés par ceux de la Commission Mixte de Sierra Leone, il paroît, que les mesures, prises contre le commerce illegal des nègres, sont contraires par la facilité qu'ont les vaisseaux employés dans ce commerce, de changer de pavillon national, aussitôt qu'ils arrivent dans les parages ou ports des Isles, et de prendre, pour de moment, celui qui paroît leur prêter le plus de sécurité contre les recherches de nos croisières.

Les sentimens du Gouvernement Danois sont trop bien connus, pour pouvoir douter, que les ordres ne soient expédiés pour mettre fin, dans les Isles qui dependent de sa Majesté Danois, à un abus qui frustre les objets humains des la Convention du 14 Janvier, 1814.

(Signed) H. W. W. WYNN.

Son Excellence le Comte de Schimmelmänn,
&c. &c. &c.

(Translation.)MONSIEUR LE COMTE, *Copenhagen, May 13, 1830.*

FROM the reports made to the Admiralty by Admiral Fleeming, the Commander of our naval force stationed at the Islands, confirmed by those sent home by the Mixed Commission at Sierra Leone, it appears that the measures, taken against the illegal trade in slaves, are thwarted by the facility with which the vessels employed in this trade can change their national flag, as soon as they arrive in the latitude or ports of the islands, and take, for the time, that which appears to afford them the greatest security against the search of our cruizers.

The sentiments of the Danish Government are too well known to allow of a doubt, but that orders will be issued for putting an end, in the islands which depend on His Danish Majesty, to an abuse which frustrates the humane objects of the Convention of January 14, 1814.

(Signed) H. W. W. WYNN.

His Excellency Count Schimmelmänn,
&c. &c. &c.

SWEDEN.

No. 105.

The Earl of Aberdeen to Lord Bloomfield.

MY LORD,

Foreign Office, April 23, 1830.

I HEREWITH transmit to your Lordship the copy of a communication,* which has been received at this Office from the Admiralty, upon the subject of a practice, said to exist in the Foreign West India Islands, of giving, with too much facility, the national character to vessels, which are subsequently employed in illegal slave trade, the penalties of which they escape through the facilities thus afforded.

The proceedings of the Mixed Commission Court at Seirra Leone, furnish numerous instances, in corroboration of the statement made by Vice Admiral Fleeming, as to the prevalence, in many of the Foreign West India Islands, of the practice which forms the subject of his report to the Admiralty, and as to the undue facilities, which are thereby afforded to the carrying on of an illegal traffick in slaves.

You will represent these circumstance to the Government of His Swedish Majesty, by whom His Majesty's Government feels confident such measures will hereupon be adopted, as may be necessary effectually to prevent a system of abuse, which throws the greatest difficulties in the way of His Majesty's efforts for the suppression of illicit slave-trade, and tends to frustrate the humane objects of the Convention of the 21st of July, 1825, between His Majesty and the King of Sweden.

I am, &c.

(Signed) ABERDEEN.

His Excellency Lord Bloomfield.
&c. &c. &c.

* See Enclosure in No. 4.

No. 106.

Lord Bloomfield to the Earl of Aberdeen—(Received May 27.)

MY LORD,

Stockholm, May 14, 1830.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch marked "Slave-trade," of the 23d of April, 1830.

I availed myself of an early opportunity to confer with the Count de Wetterstedt, on the matter contained in the enclosures, governing myself by the instructions in your Lordship's despatch. To-morrow I am to meet his Excellency again, when I shall urge the necessity of adopting such measures, as may effectually prevent the system of abuse practised in St. Bartholomew's, by withholding the facilities now afforded, which gave the national character to vessels employed in illegal slave-trade.

I have, &c.

(Signed).

BLOOMFIELD.

The Right Hon. the Earl of Aberdeen, K. T.
&c. &c. &c.

No. 107.

Lord Bloomfield to the Earl of Aberdeen.—(Received July 8.)

MY LORD,

Stockholm, June 25, 1830.

I BEG leave to transmit the copy of a letter handed to me by the Count de Wetterstedt, in explanation, and, as the writer assumes, in refutation of the charges made by Admiral Fleeming against the Authorities of St. Bartholomew.

As this paper is confined to a defence of past proceedings, and as Mr. Morsing is about to resume his functions as one of the Government, charged, in conjunction with Major Haasum, with the administration of the island, I thought the occasion a fitting one to press upon his Excellency, not only the expediency, but the necessity, of more precise and positive instructions being prepared for that gentlemen, and dwelt particularly on the indispensableness of interdicting the Authorities from granting papers to any vessels, that were not actually Swedish property. To this his Excellency acceded, and assured me, that nothing should be neglected to secure against any, the slightest, irregularity, on the part of these Functionaries.

I am, &c.

(Signed)

BLOOMFIELD.

The Right Hon. the Earl of Aberdeen, K T.

&c.

&c.

&c.

Enclosure in No. 107.

(Translation.)

M. Morsing to Count Wetterstedt.

Stockholm, May 14, 1830.

I HASTEN to have the honour of returning the papers, on which your Excellency has been pleased to require that I should furnish any remarks I was able, as far as regards the Island of St. Bartholomew.

To the observation made by Admiral Fleeming on the case of the brig "*Nierzée*," I have already had the honour to reply, that if this vessel was really furnished with passports at St. Bartholomew's, those documents ought to have been sent back immediately after the change of flag, which it is pretended was effected at Havana, to the office of the Justicier, by the fitter out or the Captain, who were, at the time of the issue of those documents, bound by oath so to do, at the risk of being prosecuted for perjury.

The Government of St. Bartholomew's has already declared, as well in their very humble reports, as in their correspondence with Admiral Fleeming and Captain Deare, that no vessel of the name of "*Nierzée*" or "*Estafette*," has arrived there, and that the Dutch brig, the "*Twee Gebroeders*," which the Captain declared was the same vessel, did not receive her papers at the Island of St. Eustache, as Admiral Fleeming would indicate, but had them of the Dutch Government at the Island of St. Martin.

Of late years but few ship's papers have been granted at St. Bartholomew's, and those for the most part to small vessels belonging for many years to the inhabitants of the island, which fact will be attested by the lists returned every 6 months to the Collège du Commerce. The number of ship's papers granted in the course of the year 1828 was about 12, and, if I recollect rightly, 9 during the first 6 months of 1829. It has never come to my knowledge that use has been made of any vessel furnished with papers from the Government of the Island, for such a transgression as that which appears to have given rise to the complaints of the Admiral; and his assertion, respecting the brig "*Twee Gebroeders*," appears to be only founded on supposition.

As to the sailors, who, according to Admiral Fleeming's account, are detained at St. Bartholomew's, under the pretext of being in debt, with a view to the formation of the crews of vessels employed in the slave-trade, the Go-

vernment has already explained this matter sufficiently at length: in referring to the very humble reports thereto relating, I only take the liberty to add, that a sailor, no matter of what nation, who conducts himself well, has never had need of such a pretext to enable him to stay in the island. Conformably to the custom of the place, a creditor certainly can prevent the issue of a passport to his debtor, by a demand made on the subject to the Secretary to the Government; but such a prohibition has never been prolonged beyond the next sitting of the Court. I venture also to assert, that during the whole time I was employed at St. Bartholomew's, no sailor preferred a complaint, either before me, or before the court, of having, for such a reason, been prevented from quitting the island, or even of having been forced to accept conditions, which but for it, he should have thought it right to refuse. On the contrary, I well remember the readiness with which the Government favoured the project of Captain Clement to embark on board the English frigate, the "Shannon," the sailors who might desire to quit the Island of St Bartholomew's; and certainly Admiral Fleeming cannot be ignorant, that, notwithstanding these efforts, not one offered.

As to the assertion, that some of the vessels that have arrived at St. Bartholomew's, have proceeded from thence, or from a third Port, to Africa, to embark slaves there, I am not able to controvert it. Now, if it is not certain, it is at least not impossible, that some sailors may have been engaged at St. Bartholomew's on board of vessels, which carried on the trade in slaves too late; but this circumstance does not appear to me to give Admiral Fleeming the right to accuse the Authorities of that Island, whose duty is limited to taking care that sailors are not engaged, except on board vessels whose papers are regular, or rather that the vessels whose papers are not so, should be sent away from the island; and I am firmly persuaded, that no case can be mentioned, in which the Government has failed in it's duty on this point.

Admiral Fleeming, who has been in error from the beginning, and who has confounded the Island of St. Bartholomew, where he has never been, with the Dutch Colonies, which he seems to be better acquainted with, has confined himself on this occasion, as in most others, to general charges against a Government, which, from the consciousness of having acted rightly, has not had recourse to language, which would perhaps have been more favourable to it.

Not having been in need of indulgence, it has neither asked nor merited the testimony of redoubled zeal, as will be given to the Government of St. Thomas's. It has never given to the privileges of the island that stretch, which the Governments of the Danish and Dutch Islands appear to give to those of their islands, under pretext of their character of free ports. The Custom-house of St. Bartholomew's has always been accounted to take care, that the cargo was conformable to the bill of lading; and the merchandize, the list of which has been found to be false, has been confiscated.

The Government has always regarded the arming of vessels, under whatever pretext, as forbidden, not only by the law of nations, but also by strict ordinances; and the vessel, which should be employed in such a transgression of the law, would have been infallibly confiscated. The declaration on this point, by Admiral Fleeming, has no foundation, unless the Admiral by arming means the case of a merchant vessel, which, furnished with papers in legal form, is laden with powder, or manned with sailors.

The above-mentioned Admiral presumes, that the Government of St. Bartholomew, like those of the Danish and Dutch Islands, has received an instruction, directing them, as it is expressed in his despatch, "not to be too strict." I have only on this point to declare, that the Government, in the measures it has taken, in regard to vessels, has only had in view the principles, of which it has given an account in its very humble reports; and your Excellency having approved these principles, I cannot but consider them to be in every respect conformable to the treaties, to the laws, and to the rights of nations. It is then superfluous to prove, that these principles differ essentially from those, which are followed by the Government of Curacoa. I dare to hope, that it is already proved, that it is against the Dutch and Danish Island that he ought to direct the accusations, which have been put forward against St.

Bartholomew's. The Governments of these islands are little able to controvert them: and, knowing well that it was not a difficult task, they have sought excuses, partly in false accusations against St. Bartholomew's, and partly in the pretence of the controul, to which they are subjected by the ships of war of their nations, which frequent those places. For the rest, the unfavourable reports, which were spread last year concerning the Island of St. Bartholomew's, appear to have originated not only from the prejudices of Admiral Fleeming, and the enmity of Mr. Harrison, but also from the desire of the governments and inhabitants of the neighbouring islands, to hurt the reputation of St. Bartholomew's, the commerce of which, under a just Government, has begun to flourish by means of moderate duties, partly at the expense of those islands.

M. le Comte de Wetterstedt,
 &c. &c. &c.

(Signed)

M. MORSING.

COLOMBIA.

No. 108.

Colonel Campbell to the Earl of Aberdeen.—(Received February 11, 1830.)

MY LORD,

British Legation, Bogotd, December 2, 1829.

I HAVE the honour to forward, for your Lordship's information, a translation, of the 18th Article of the Treaty of Peace, between Colombia and Peru, signed at Guayaquil, on the 22d of September last, and ratified at the same place on the 28th of the following month.

According to this Article, the dealers in slaves, together with their vessels proceeding with slaves from the Coast of Africa, under the flag of either country, are made amenable to the laws on piracy, and, as such, subject to the jurisdiction of the tribunals of the Captor, whether Colombian or Peruvian.

I think I can safely assert, that this Government acts with the most sincere good faith in its desire for the abolition of the slave-trade; and every enquiry made by me leads to the persuasion, that not any Colombian is engaged, either directly or indirectly, in this nefarious traffick, and the contravention of the existing laws on this subject would, I am convinced, be visited with the full force of the penalty awarded for the infringement of them.

I have, &c.

(Signed)

PATRICK CAMBELL.

The Right Hon. the Earl of Aberdeen, K.T.
 &c. &c. &c.

Enclosure in No. 108.

(Translation.)

Extract from the Treaty of Peace between Colombia and Peru, signed in Guayaquil, on the 22d September, 1829.

ARTICLE 18.—The Contracting Parties oblige and bind themselves to co-operate in the complete abolition and extirpation of the African slave-trade, maintaining the actual prohibitions in their full force and vigour; and, in order that no time may be lost in the accomplishment of so salutary an object, they moreover agree to declare, as they hereby do declare, among themselves, that the dealers in slaves, together with their vessels laden with slaves, proceeding from the Coast of Africa, under the flag of either of the said Parties, shall incur the penalties of the crime of piracy, and, as such, shall be subject to the competent tribunal of the Captor, whether Colombian or Peruvian, to be judged and punished according to the laws.

